

# PERSONNEL MANUAL

FOR

BRUNSWICK COUNTY EMPLOYEES



BRUNSWICK COUNTY PERSONNEL MANUAL

County of Brunswick  
Office of the County Commissioners



BRUNSWICK COUNTY PERSONNEL POLICY RESOLUTION

BE IT RESOLVED that Brunswick County, North Carolina is an equal opportunity employer;

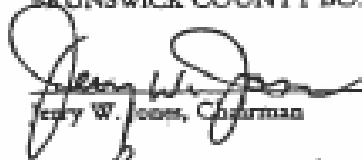
BE IT RESOLVED that Brunswick County adopts the Personnel Policy Resolution Manual attached hereto for the purpose of establishing rules and regulations to govern the appointment, salary, promotion, demotion, dismissal, and conditions of employment of the employees of Brunswick County; and

BE IT FURTHER RESOLVED that the Brunswick County Personnel Policy Resolution Manual shall be adopted as a resolution of the Board of Commissioners. The Brunswick County Personnel Policy Resolution Manual is administrative in nature and is adopted for the sole purpose of supplying internal guidelines to Brunswick County officials and employees for the administration of Brunswick County employment; therefore, it is not properly the subject of an ordinance. In addition, it is not the intent of the County Commissioners to create, nor should this Resolution, or the Brunswick County Personnel Policy Resolution Manual which is adopted hereby, be interpreted as creating for past, present, or future Brunswick County employees a property interest in employment with Brunswick County. The County Commissioners adopt the Personnel Policy Resolution Manual as a resolution of the Commissioners, and in no case should the document be given the effect or authority of an ordinance of Brunswick County.

NOW THEREFORE, be it resolved that the Brunswick County Board of Commissioners adopts the Personnel Policy Resolution Manual. A true and accurate copy of which shall be maintained in Exhibit Book 14, Attachment No. 6

Adopted this the 1st day of April, 1996.

BRUNSWICK COUNTY BOARD OF COMMISSIONERS

  
Jerry W. Jones, Chairman

  
Leslie Z. Collier, Vice Chairman

BRUNSWICK COUNTY PERSONNEL MANUAL

*R. Douglas Simmons*  
R. Douglas Simmons

*Tom B. Rabon Sr.*  
Tom B. Rabon, Sr.

*William M. Sue*  
William M. Sue

ATTEST:

*Joyce C. Johnson*  
Joyce C. Johnson, Clerk to the Board



# BRUNSWICK COUNTY PERSONNEL MANUAL

## BRUNSWICK COUNTY PERSONNEL POLICY MANUAL

<b><u>SECTION I</u></b>	<b><u>HUMAN RESOURCES PHILOSOPHY</u></b>	<b><u>7</u></b>
POLICY #110	USE, REVISION AND EXCLUSIONS OF POLICY MANUAL ( <i>REVISED 4/18/2016</i> )	7
POLICY #120	PHILOSOPHY AND ADMINISTRATION OF POLICY MANUAL	10
POLICY #125	FEDERAL MERIT PERSONNEL STANDARDS ( <i>9/17/2012</i> )	13
POLICY #130	EQUAL EMPLOYMENT OPPORTUNITY AFFIRMATIVE ACTION EEO	15
POLICY #135	ADA - AMERICANS WITH DISABILITIES ACT	17
POLICY #140	SEXUAL HARASSMENT	21
POLICY #155	AUTHORIZED ALIEN STATUS & CITIZENSHIP	23
POLICY #170	NATURE OF SUPERVISION	26
POLICY #180	STAFF DEVELOPMENT AND TRAINING ( <i>REVISED 4/03/2017</i> )	28
<b><u>SECTION II</u></b>	<b><u>EMPLOYMENT POLICIES</u></b>	<b><u>31</u></b>
POLICY #205	RECRUITMENT AND EMPLOYMENT ( <i>REVISED 9/18/2017</i> )	31
POLICY #210	EMPLOYMENT OF RELATIVES (NEPOTISM) ( <i>REVISED 9/18/2017</i> )	36
POLICY #215	PROCESSING FOR NEW EMPLOYEE	37
POLICY #220	PROBATIONARY PERIOD ( <i>REVISED 04/18/2016</i> )	39
POLICY #250	SEPARATION FROM EMPLOYMENT, DISCIPLINARY ACTION AND REINSTATEMENT ( <i>REVISED 9/06/2016</i> )	41
POLICY #255	RETIREMENT ( <i>REVISED 5/16/2016</i> )	50
POLICY #260	OUTSIDE EMPLOYMENT	54
POLICY #262	DEATH OF AN EMPLOYEE	55
POLICY #265	PERSONNEL RECORDS	56
POLICY #270	REQUEST FOR INFORMATION BY OUTSIDERS	59
POLICY #280	POLITICAL AND CIVIC ACTIVITY ( <i>REVISED 9/8/2015</i> )	61
<b><u>SECTION III</u></b>	<b><u>COMPENSATION</u></b>	<b><u>63</u></b>
POLICY #310	HOURS OF WORK ( <i>REVISED 8/18/2014</i> )	63
POLICY #315	WORKWEEK ( <i>REVISED 8/18/2014</i> )	64
POLICY #320	EXEMPT AND NON-EXEMPT EMPLOYEES ( <i>REVISED 8/18/2014</i> )	66
POLICY #335	OVERTIME AND SPECIAL PAY CONDITIONS ( <i>REVISED 8/18/2014</i> )	70
<b><u>SECTION IV</u></b>	<b><u>EMPLOYEE BENEFITS</u></b>	<b><u>73</u></b>
POLICY #400	ATTENDANCE AND LEAVE ( <i>REVISED 5/18/2015</i> )	73
POLICY #405	LONGEVITY	87
POLICY #430	GROUP HEALTH INSURANCE ( <i>REVISED 10/04/2010</i> )	88
POLICY #440	EMPLOYEE ASSISTANCE PROGRAMS	89
POLICY #465	SERVICE RECOGNITION ( <i>REVISED 2/21/11</i> )	91
POLICY #472	WELLNESS PROGRAM ( <i>REVISED 9/8/2015</i> )	92

## BRUNSWICK COUNTY PERSONNEL MANUAL

<b><u>SECTION V</u></b>	<b><u>PERSONNEL STANDARDS</u></b>	<b><u>94</u></b>
POLICY #510	PERSONAL APPEARANCE	94
POLICY #520	APPEARANCE OF WORK AREA	95
POLICY #525	DESTRUCTION OF COUNTY PROPERTY AND/OR EQUIPMENT	96
POLICY #530	SAFETY	97
POLICY #540	GARNISHMENTS AND LIENS	100
POLICY #543	EMPLOYEE PAYMENT OF COUNTY TAXES ( <i>REVISED 8/18/2014</i> )	101
POLICY #545	GENERAL BEHAVIOR	102
POLICY #547	TECHNOLOGY ACCEPTABLE USE ( <i>NEW 2/52018</i> )	103
POLICY #550	SOCIAL MEDIA ( <i>NEW 8/18/2014</i> )	106
POLICY #560	DRUG AND ALCOHOL FREE WORK PLACE ( <i>REVISED 9/18/2017</i> )	108
<b><u>SECTION VI</u></b>	<b><u>PROBLEM RESOLUTION</u></b>	<b><u>112</u></b>
POLICY #610	APPEAL/ADVERSE ACTION PROCEDURE ( <i>REVISED 3/16/2015</i> )	112
<b><u>SECTION VII</u></b>	<b><u>MISCELLANEOUS</u></b>	<b><u>116</u></b>
POLICY #710	TRAVEL AND TRAINING	116
POLICY #730	VEHICLE USE POLICY ( <i>REVISED 8/18/2014</i> )	120
POLICY #731	AUTHORIZATION TO DRIVE COUNTY VEHICLES ( <i>REVISED 10/17/2016</i> )	122
POLICY #735	PARKING POLICY	125
POLICY #755	AIDS - ACQUIRED IMMUNE DEFICIENCY SYNDROME	126
<b><u>SECTION VIII</u></b>	<b><u>PERFORMANCE APPRAISAL SYSTEM</u></b>	<b><u>130</u></b>
POLICY #800	PERFORMANCE EVALUATION AND DEVELOPMENT PROGRAM ( <i>REVISED 9/06/2016</i> )	130 130
<b><u>SECTION IX</u></b>	<b><u>CLASSIFICATION SYSTEM</u></b>	<b><u>132</u></b>
POLICY #900	CLASSIFICATION AND PAY PLAN ( <i>REVISED 10/20/2014</i> )	132

## BRUNSWICK COUNTY PERSONNEL MANUAL

### DEFINITIONS (*Revised 5/18/2015*)

The following words, terms and phrases, when used in this manual, shall have the meanings as defined below, except where the context clearly indicates a different meaning:

***Adverse action*** shall mean a demotion, dismissal, reduction in pay, layoff, or an undesirable transfer or suspension.

***Appointing authority*** shall mean any board or position with legal or delegated authority to make hiring decisions.

***Contract employee*** shall mean an employee who is contracted to perform work or fill duties under special projects. These contract employees are exempt from fringe benefits provided regular or temporary employees, unless funds are made available under provisions in their contract.

***Full-time employee*** shall mean an employee, who is regularly scheduled to work the number of hours per workweek designated by the Board of Commissioners as full-time.

***Grievance*** shall mean a claim or complaint based upon an event or condition which affects the circumstances under which an employee works, allegedly caused by misinterpretation, unfair application, or lack of established policy pertaining to employment conditions.

***Part-time employee*** shall mean a employee, who is regularly scheduled less than the number of hours per workweek designated by the Board of Commissioners as full-time.

***General employee*** shall mean a person appointed to serve in a position for an indefinite duration and completed their probation or in the case of law enforcement officer, twelve (12) calendar months.

***Probationary employee*** shall mean a person appointed to a position who has not completed the probationary period for that position.

***Temporary employee*** shall mean a person appointed to serve in a position for a definite duration or less than 1000 hours in any 12 month period.

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION I HUMAN RESOURCES PHILOSOPHY

### Policy #110 Use, Revision And Exclusions Of Policy Manual (*Revised 4/18/2016*)

**PURPOSE:** A Personnel Manual is a comprehensive collection of policies and procedures relating to the treatment of employees. It is important for users of the manual to follow the County's policies, use and method of revision.

**SCOPE:** This policy applies to all employees, except for specific exclusions as set forth in this policy.

#### **POLICY AND PROCEDURE:**

##### 1. OWNERSHIP, DISTRIBUTION AND RETURN

- 1.1 The Human Resources Department will be responsible for the maintenance of any policy revisions.
- 1.2 The personnel policy will be maintained on-line. It is the responsibility of all employees to read and adhere to County policies. If an employee does not have access to a computer, they may request a hard copy from their manager, department head or from Human Resources.
- 1.3 The policies in this manual do not constitute an employment contract and may be revised by the appropriate authority. A prospective employee will be notified of employment by the Department Head or the Human Resources Department.

##### 2. REVISION

- 2.1 The Board of Commissioners have the authority to unilaterally change a policy at any time.
  - 2.1.1 Such changes shall be provided by the Clerk to the Board of Commissioners or the Human Resources Department within five (5) working days following the revision.

##### 3. EXCLUSIONS

###### 3.1 Elected County Officials

Elected County officials are not subject to the County's personnel regulations except as provided in this section. These elected officials are as follows:

- (a) Brunswick County Board of Commissioners

## BRUNSWICK COUNTY PERSONNEL MANUAL

(b) Brunswick County Register of Deeds

(c) Brunswick County Sheriff

3.1.1 Members of the Board of Commissioners are exempt from the provisions in this policy manual.

3.1.2 The Sheriff and Register of Deeds are subject to: Section I, Policy 130, 135, and 140; Section II, Policy 210, 255, 265 and 280; Section III, Policy 310, 315, 320 and 335; Section IV, Policy 400, 405, 430 and 465; Section V, Policy 525 and 540; Section VII, Policy 710, 730, 735 and 755; Section IX and Policy 900

### 4.1 Employees serving at the pleasure of the Board of Commissioners

These employees are appointed by the Board of Commissioners and serve at the pleasure of the Board.

(a) The County Attorney

(b) The County Manager

The Clerk to the County Board of Commissioners is appointed by the Board, but reports to the County Manager.

### 4.2 Local Government Employees Subject to Specific Provisions of the State Personnel Act.

4.2.1 Employees in this category are subject to all provisions of the State Personnel Act, and Section I, Section II except Subsection 250, Section III, Section IV, Section V, Section VII, Section VIII, Section IX and Section X this Policy Manual.

### 4.3 Members of Advisory, Special Boards and Commissions

4.3.1 Members of County Boards are appointed. The Internal Revenue Service requires that for payroll purposes only, these board members are employees subject to payroll taxes and withholding.

### 4.4 Temporary and/or Part-time Employees

4.4.1 County employees working in temporary and/or part-time positions are subject to some, but not all, of the regulations that apply to County employees in full-time positions. Temporary and/or part-time employees shall be paid hourly rates and shall not receive benefits in excess of wages. Regulations concerning appointments, separations, probationary periods, disciplinary actions, reductions in force and grievances do not apply to temporary and/or part-time employees, however, they are subject to other work rules and County regulations.



## **BRUNSWICK COUNTY PERSONNEL MANUAL**

4.4.2 Refer to definition of temporary and part-time employees found in the definitions section of policy manual.

### **4.5 Employees and Employment Governed by Other Law**

4.5.1 A County employee may be partly or fully exempt from County personnel regulation by virtue of a superseding law.

### **4.6 Employees of the NC Cooperative Extension Service**

4.6.1 Employees of the NC Cooperative Extension Service subject to: Section III, Policy 310, 315, 320, 335 and Section IV, Policy 400, Parts 1-3, except for any general County employees, who may be subject to all provisions of this policy manual.

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION I HUMAN RESOURCES PHILOSOPHY

### Policy #120 Philosophy And Administration Of Policy Manual

**PURPOSE:** Brunswick County recognizes that its employees are its most valuable asset. Therefore, the County takes every reasonable step to enhance employee morale and increase productivity in a safe, healthful, and professional environment. By communicating the philosophy and the administration of this policy manual, we hope to both educate employees and enhance their morale.

**SCOPE:** This policy documents Brunswick County's concern for its employees. It presents general goals and broad responsibilities of the Board of Commissioners, County Manager, Human Resources Department and its employees. It also describes the functions and responsibilities of the officials and employees responsible for administering all programs related to the treatment of all County employees.

#### **POLICY AND PROCEDURE:**

##### **1. PHILOSOPHY AND ADMINISTRATION OF THE POLICY MANUAL**

1.1 Brunswick County will not discriminate in any of its functions on the basis of race, sex, color, disability, national origin, religion, creed, age, marital status, sexual preference, citizenship, authorized alien status or veteran status. County employees and potential employees will be treated with dignity and respect. Employees are encouraged to develop to their full potential both personally and professionally. County Administration and the Human Resources Department will maintain open lines of communication with Department Heads and other Employees, and will explain its policies and procedures as clearly as possible when asked to do so.

##### **2. RESPONSIBILITIES OF THE BOARD OF COMMISSIONERS**

2.1 The Board of Commissioners shall establish personnel rules and policies, including the classification and pay plan and shall make and confirm appointments when so specified by law.

##### **3. RESPONSIBILITIES OF THE COUNTY MANAGER**

3.1 The County Manager shall be responsible to the Board of Commissioners for the administration of the personnel program. The County Manager shall appoint, suspend and remove all County officers and employees except those elected by the people or whose appointment is otherwise provided for by law. The County Manager shall make

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

appointments, dismissals and suspensions in accordance with G.S. section 153A-82 and the policies set forth in this policy manual.

3.2 The Sheriff and Register of Deeds have the exclusive right to hire, discharge, and supervise the employees in their respective departments under the authority of G.S. 153A-103.

3.3 The County Manager shall:

3.3.1 Recommend rules and revisions of the personnel system to the Board of Commissioners for consideration;

3.3.2 Recommend revisions to the position classification plan to the Board of Commissioners for approval;

3.3.3 Prepare and recommend revisions to the pay plan to the Board of Commissioners for approval;

3.3.4 Determine which employees shall be subject to the overtime provisions as provided for in Section III, Policy 320 and 335;

3.3.5 Establish and maintain a roster of all persons in the County service, setting forth each officer and employee, class title of position, salary, any changes in class title and status, and such data as may be deemed desirable or useful;

3.3.6 Develop and administer such recruiting programs as may be necessary to obtain an adequate supply of competent applicants to meet the needs of the County;

3.3.7 Develop and coordinate training and educational programs for County employees;

3.3.8 Investigate periodically the operation and effect of this policy manual and at least annually report findings and recommendations to the Board of Commissioners;

3.3.9 Perform such other duties as may be assigned by the Board of Commissioners not inconsistent with this policy manual.

3.3.10 Conduct performance evaluations with employees under his or her direction.

### **4. FUNCTIONS OF THE HUMAN RESOURCES DEPARTMENT**

4.1 The Human Resources Department shall be responsible to the County Manager.

4.2 The Human Resources Department, under the direction of the County Manager shall;

4.2.1 Assist in the administration of the personnel functions of Part 2 of this section as assigned by the County Manager;

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

- 4.2.2 Administer the benefits for all County government employees and communicate benefit information;
- 4.2.3 Administer the County's hiring procedures as they relate to gathering and maintaining application records, recruiting methods and orientation procedures;
- 4.2.4 Assist in administering the performance appraisal program;
- 4.2.5 Consult with department heads concerning application and interpretation of the County's grievance policy and procedures and will maintain records of disciplinary actions;
- 4.2.6 Maintain the security of the County's personnel records;
- 4.2.7 Conduct personnel business for the County in full compliance with federal, state and local laws including, but not limited to, those concerning discrimination, salary administration, tax, pension and occupational safety and health;
- 4.2.8 Perform such other duties as may be assigned by the County Manager.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

### **SECTION I HUMAN RESOURCE PHILOSOPHY**

#### **Policy #125 Federal Merit Personnel Standards (9/17/2012)**

**PURPOSE:** Merit based personnel systems are based on the principle that an organization is best served by motivated, competent, honest and productive workers. In a merit system, employees are hired, promoted, rewarded and retained on the basis of individual ability and fitness for employment without regard to race, color, sex, religion, age or national origin. Central to this principle is the protection of employees and applicants from discrimination, improper political influence and personal favoritism.

**SCOPE:** This policy applies to all employees unless identified as excluded in Policy # 110.

#### **POLICY:**

- 1.0 Brunswick County will adhere to the Federal Merit Personnel Standards (list below is not all inclusive):
  - 1.1 Equal Employment Opportunity
  - 1.2 Recruiting, selecting and advancing employees based on merit
  - 1.3 Equitable compensation
  - 1.4 Retention and separation of employees based on performance
  - 1.5 Fair treatment of applicants and employees
  - 1.6 Employees are protected against coercion for partisan political purposes.
  - 1.7 Use of different training options to promote better organizational and individual performance
  - 1.8 Protection against reprisal for lawful disclosure of information which is in violation of any law, rule or regulation; mismanagement resulting in gross waste of funds, an abuse of authority or a substantial danger to public health or safety.
  
- 2.0 Prohibited personnel practices include (not all inclusive):
  - 2.1 Discrimination as prohibited under federal and state regulations
  - 2.2 Releasing of personnel information unless considered public record and / or permission provided by employee
  - 2.3 The coercion of any political activity, including political contributions; reprisal for the refusal of any person to engage in such political activity or support.
  - 2.4 Employees who are serving as public officials, defined under title 5 of United States Code, shall not appoint or advocate for the employment, promotion or advancement any individual who is a relative of such employee (defined under title 5 of United States Code).

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION I HUMAN RESOURCE PHILOSOPHY

3.0 Definitions in accordance to section 3110(a) (2) of title 5, United States Code:  
Public Official – means an officer (including President and a member of Congress), a member of uniformed services, an employee and any other individual, in whom is vested the authority by law, rule, or regulation, or to whom the authority has been delegated, to appoint, employ, promote, or advance individuals, or to recommend individuals for appointment, employment, promotion, or advancement in connection with employment in an agency.

Relative – means, with respect to a public official, an individual who is related to the public official as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

Agency – means, for purposes of this section,

An Executive agency;

An office, agency, or other establishment in the legislative branch;

An office, agency, or other establishment in the judicial branch; and

The government of the District of Columbia

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION I HUMAN RESOURCES PHILOSOPHY

### Policy #130 Equal Employment Opportunity Affirmative Action EEO

**PURPOSE:** Brunswick County's practices will fully comply with federal, state and local laws concerning discrimination in the workplace. The County's EEO Policies shall be clearly communicated.

**SCOPE:** This policy applies to all employees and includes procedures regarding hiring practices, job placement decisions, opportunities for training and development, pay practices, promotion and demotion decisions.

#### **POLICY AND PROCEDURE:**

##### 1. DISCRIMINATION POLICY

- 1.1 It is the policy of Brunswick County not to discriminate against any employee or applicant for employment because of race, sex, color, disability, national origin, religion, creed, age, veteran status or sexual preference where prohibited by applicable state or local law.
- 1.2 This policy applies to all areas of County Government and personnel administration including, but not limited to, hiring, job assignment, opportunities for training, pay, benefits, promotion and demotion, layoff and termination, ethics and standards of personal conduct.
- 1.3 The County will communicate its EEO Policy internally through:
  - 1.3.1 Employee Publications
  - 1.3.2 Manager/Personnel Memorandum
  - 1.3.3 Special Meetings (as necessary)
  - 1.3.4 Postings on County Bulletin Boards
  - 1.3.5 Inclusion in this and subsequent Personnel Policy
- 1.4 The County will communicate its EEO Policy to outside organizations and individuals through:
  - 1.4.1 Publicity in local news media.
  - 1.4.2 Notices to employment agencies.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

- 1.4.3 Notices to training/education agencies.
- 1.4.4 Inclusion of "An Equal Opportunity Employer" in all recruiting ads.
- 1.4.5 Identifying and contacting sources for minority applicants.
- 1.4.6 Including an "Equal Opportunity" clause in all purchase orders, leases and contracts.
- 1.4.7 Sending all contractors and subcontractors EEO assurances as required by federal law.

### **2. SPECIFIC AREAS OF COMPLIANCE WITH EEOC REQUIREMENTS**

- 2.1 The County will hire applicants who possess the necessary skills, education and experience for protected group status as listed in paragraph 1.1.
- 2.2 The County will use for job referral purposes only employment agencies that do not discriminate on the basis of protected group status as listed in paragraph 1.1.
- 2.3 The County will provide procedures by which employees may bring complaints of discrimination on the basis of these policies.

### **3. GENERAL RESPONSIBILITY**

- 3.1 The County Manager will ensure that the County's commitment to EEO is communicated and implemented.
- 3.2 Department Heads have ultimate responsibility for carrying out the County's commitment to EEO.
- 3.3 No employee will cause, or conspire to cause, another to be discharged or to resign because of race sex, color, disability, national origin, religion, creed, age, marital status, sexual preference, or veteran status.
- 3.4 The County Manager will develop and monitor the County's EEO Program.
- 3.5 The Human Resources Department will assist Department Heads in the operation of their programs.



# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION I HUMAN RESOURCES PHILOSOPHY

### Policy #135 ADA - Americans with Disabilities Act

**PURPOSE:** It is the policy of Brunswick County to comply with the American's with Disabilities Act (ADA).

**SCOPE:** This policy applies to all employees and applicants for employment and includes the requirements for individuals covered under the act. It sets forth responsibilities of County employees in complying with ADA.

#### **POLICY AND PROCEDURE:**

##### 1. DEFINITION

- 1.1 A "qualified individual" with a disability is *an individual with a disability who meets the skill, experience, education, and other job-related requirements of a position held or desire, and who, with or without reasonable accommodation, can perform the essential functions of a job.*
- 1.2 The definition of "disability" is *an individual who has a physical or mental impairment that substantially limits one or more of his or her major life activities (i.e., walking, speaking, breathing, performing manual tasks, seeing, hearing, learning, caring for oneself, working); has a record of such an impairment; or is regarded as having such an impairment.*

##### 2. EMPLOYMENT

- 2.1 All employees responsible for conducting interviews with applicants seeking employment with Brunswick County shall treat the applicants with dignity and respect.
- 2.2 Department Managers shall review interview procedures within his or her department to ensure that no applicant or employee is subjected to interview practices which are discriminatory.
- 2.3 During the employment interview applicants may be asked about their ability to perform essential job functions. Applicants may be asked to demonstrate how he or she would perform essential functions of the job. Applicants may not be asked about the existence, nature, or severity of a disability
- 2.4 Brunswick County may require medical examinations and pre-employment drug tests as a condition of employment for County jobs, but only after a job offer has been made.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

- 2.5 Employees and applicants who are currently engaged in the illegal use of drugs are excluded from the definition of a “qualified individual with a disability”.
- 2.6 Brunswick County requires that individuals not pose a “direct threat” to the health and safety of himself/herself or others. Applicants may be rejected and employees may be dismissed if they pose a direct threat to the health or safety of other individuals.
- 2.7 County employees shall not segregate or classify any other employee or applicant in a way that adversely affects employment opportunities because of a disability.
- 2.8 County employees may not deny an opportunity to any qualified individual because he or she has a relationship or association with an individual with a disability.
- 2.9 The use of qualification standards, employment tests, or other selection criteria that screens out or tend to screen out an individual with a disability is strictly prohibited.

### **3. REASONABLE ACCOMMODATION**

- 3.1. Brunswick County shall make every effort to make reasonable accommodation to the known physical or mental limitations of a qualified applicant or employee with a disability unless such accommodation causes an undue hardship on the operation of County business.
- 3.2 It is the obligation of the individual with a disability to request a reasonable accommodation.
- 3.3 An employee seeking an accommodation shall make requisition to his or her immediate supervisor or the Department Head.
- 3.4 Upon receiving a request for an accommodation, the Department Head should look at the particular job involved to determine the purpose and essential functions of the job; consult with the employee with the disability to find out the specific limitations; identify potential accommodations and assess the effectiveness of the accommodation.
  - 3.4.1. Some examples of reasonable accommodation include but are not limited to:
    - 3.4.1.1 Making existing facilities used by employees readily accessible to, and usable by, an individual with a disability.
    - 3.4.1.2 Job restructuring;
    - 3.4.1.3 Modifying work schedules;
    - 3.4.1.4 Reassignment to a vacant position;
    - 3.4.1.5 Acquiring or modifying equipment or devices;

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

3.4.1.6 Adjusting or modifying examinations, training materials, or policies;

3.4.1.7 Providing qualified readers or interpreters;

- 3.5 County employees may receive requests for a reasonable accommodation from applicants and other members of the public. These requests may be referred to the Department Head in whose department the request was made or the County Manager. However, when dealing with the public, an employee should make an effort to assist the individual, if possible.
- 3.6 An employee with a disability has the right to refuse an accommodation. However, the employee must be able to perform the essential functions of the job without the accommodations.
- 3.7 If the cost of an accommodation would impose an undue hardship on the County, the employee with a disability may be given the option of providing the accommodation or paying that portion of the cost which would constitute an undue hardship.

### **4. ACCESS TO COUNTY SERVICES AND FACILITIES**

- 4.1 Brunswick County will not refuse to allow a person with a disability to participate in any service, program, or activity simply because the person has a disability or because buildings are inaccessible.
- 4.2 County Department Heads and Employees should inspect facilities and work areas and report to the County Manager any physical barriers which may prohibit accessibility to services and or programs provided by the County. Should physical barriers exist, alternative methods of providing the service may include but are not limited to:
- 4.2.1 Relocating a service to an accessible facility.
- 4.2.2 Providing aide or a personal assistant to enable an individual with a disability to obtain the service.
- 4.2.3 Providing ramps, steps, grab bars and similar adjustments.
- 4.3 The County may furnish auxiliary aids and services when necessary to ensure effective communication during activities sponsored by the County unless an undue burden or fundamental alteration would result.
- 4.4 The County may place special charges on individuals with disabilities to cover the costs to ensure nondiscriminatory treatment, such as making modifications required to provide program accessibility or providing qualified interpreters.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

### **5. NEW CONSTRUCTION AND ALTERATIONS**

- 5.1 The County will ensure that newly constructed buildings and facilities are free of architectural and communication barriers that restrict access or use by individuals with disabilities.
- 5.2 Alterations to existing buildings should be accessible to County employees and members of the public.

### **6. ENFORCEMENT**

- 6.1. The County Manager may designate an employee or employees to coordinate the requirements of ADA.
- 6.2 Employees who are found in violation of the provisions of ADA are subject to disciplinary action.
  - 6.2.1 Enforcement provisions are under Title VII of the Civil Rights Act of 1994 and Section 504 of the 1973 Rehabilitation Act.

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION I HUMAN RESOURCES PHILOSOPHY

### Policy #140 Sexual Harassment

**PURPOSE:** Sexual harassment of Brunswick County Employees is strictly forbidden. In order to demonstrate a commitment against sexual harassment, the County has developed a specific policy regarding sexual harassment, in addition to what is stated in the EEO Policy.

**SCOPE:** This policy applies to all employees. It includes, but is not limited to, procedures to prevent sexual harassment as defined by the EEOC and presented in paragraph 1.1 of this policy statement.

#### **POLICY AND PROCEDURE:**

##### 1. DEFINITION OF SEXUAL HARASSMENT

- 1.1 Sexual harassment is defined as unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature when:
  - 1.1.1 Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment
  - 1.1.2 Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual; or
  - 1.1.3 Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance creating an intimidating, hostile or offensive working environment.
- 1.2 Specific behaviors that the County will consider sexual harassment include, but are not limited to, the following:
  - 1.2.1 Spoken or written abuse demeaning to an employee's sex.
  - 1.2.2 Any sexual advance that is unwelcome.
  - 1.2.3 Sexually oriented comments about an employee's body.
  - 1.2.4 Showing or displaying an employee's name, address, telephone number, and/or picture in a way which may be sexually suggestive and/or invite advances.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

### **2. PROCEDURES FOR REPORTING AND INVESTIGATING SEXUAL HARASSMENT**

- 2.1 Employees are expected to report incidents of sexual harassment as soon as possible after their occurrence to the department head. If the employee's department head is involved in the incident, the report should be made to the County Manager or appointing authority.
- 2.2 After notification of the employee's complaint, a confidential investigation will immediately be initiated to gather all facts about the complaint by the appropriate department.
- 2.3 After the investigation has been completed a determination will be made by appropriate management regarding the resolution of the case.
- 2.4 Employees who have been charged with sexual harassment can under this policy defend themselves orally and/or in writing at any stage of the proceeding. They may also avail themselves of the established procedures in Section VI, Policy 600 of this manual.

### **3. PENALTY FOR VIOLATION OF SEXUAL HARASSMENT POLICY**

- 3.1 Any employee who has committed an act of sexual harassment will be subject to disciplinary procedures as presented in the Personnel Policy. Such an act should be considered a Failure in Personal Conduct under Section II, Policy # 250 of the Brunswick County Personnel Policy.
- 3.2 Any employee determined to have engaged in conduct defined as sexual harassment is in violation of Title VII of the Civil Rights Act of 1964 as well as NC General Statute 126-16 and will be subject to disciplinary action up to dismissal.
- 3.3 This policy prohibits retaliation against employees who bring sexual harassment charges or assist in investigating charges. Any employee bringing a sexual harassment complaint or assisting in the investigation of such a complaint will not be adversely affected in terms and conditions of employment, nor discriminated against or discharged because of the complaint.

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION I HUMAN RESOURCES PHILOSOPHY

### Policy #155 Authorized Alien Status & Citizenship

**PURPOSE:** All organizations must be in compliance with federal, state, and local laws concerning verification of authorized alien status and citizenship for all employees, as well as discrimination in the workplace. Discrimination against aliens of authorized status, or citizens of other countries authorized to work for Brunswick County is strictly forbidden. In order to demonstrate the County's commitment not to discriminate against employees protected by Title VII, and to comply with laws regarding authorization for employment in the United States, the County has developed this specific policy in addition to what is stated in Policy #130, EEO.

**SCOPE:** This policy applies to all employees and applicants for employment. It includes, but is not limited to, procedures to prevent discrimination as defined by Title VII, responsibilities and procedures for verification of identity and authorization of employment, handling applicant referrals, record keeping, responding to complaints regarding violations of this policy, and educating supervisors and employees regarding this policy.

#### **POLICY AND PROCEDURE:**

##### **1. RIGHTS OF EMPLOYEES REGARDING CITIZENSHIP OR AUTHORIZED ALIEN STATUS**

1.1 No employee or candidate for employment is to be discriminated against on the basis of citizenship, authorized alien status, place or origin, physical culture, or linguistic characteristics, accent or manner of speaking.

##### **2. EMPLOYMENT AUTHORIZATION**

2.1 The County shall not employ aliens unauthorized to work in the United States.

2.2 The Human Resources Department is responsible for ensuring the eligibility of aliens to work in County Government and will process the I-9 Form.

##### **3. RESPONSIBILITY FOR VERIFICATION**

3.1 The Human Resources Department will verify documents establishing both an applicant's identity and employment authorization after an applicant accepts the job offer or starts to work but no later than three (3) business days after the commencement of employment.

3.1.1 It is the responsibility of the Department Head to have the prospective employee report to the Human Resources Department for verification of eligibility prior to actual employment.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

3.2 Documents establishing both identity and work authorization are listed on Form I-9.

3.2.1 Documents establishing work authorization only are listed on Form I-9.

3.2.2 Documents establishing identity only are listed on Form I-9.

3.3 The Human Resources Department is responsible for completing the Form I-9.

### **4. RECORDKEEPING**

4.1 The Human Resources Department is responsible for recording the documents used to prove an employee's identity and work authorization.

4.2 The Human Resources Department is responsible for retaining the I-9 Form and applicant documents supplied by employment agencies, and other information from alien recruiters.

4.3 I-9 Forms and appropriate supporting documents are to be kept in the Human Resources Department. They must be made available at the request of the INS Office within 72 hours.

4.4 The Human Resources Department, with concurrence of the County Manager, will approve access of INS to appropriate forms, as required.

4.4.1 Before access is granted to INS, the Human Resources Department will require appropriate identification and a need to know authorization. Such documents used for identity and authorization will be photocopied and made a part of the County's records.

4.5 The Human Resources Department will retain photocopies of verification documents as needed to defend the County against charges of violations.

### **5. HANDLING COMPLAINTS OF VIOLATIONS**

5.1 Individuals claiming to be victims of discrimination must file a sworn, written charge with the Special Counsel for Immigration - Related Unfair Employment Practices within 180 days of an alleged discriminatory act. The Immigration and Naturalization Service will have 120 days to investigate and take action on timely filed bias charges before the individual claiming discrimination may file for hearing on his own.

5.2 The Human Resources Department will respond to a "Notice of Intent to Fine" containing all pertinent legal and factual claims and issues against the County within 30 calendar days to request a hearing. If no hearing is requested, the INS will issue a final order 45 days later, which cannot be appealed.

5.3 If the notice of fine is personally delivered, the County must be advised that anything it says can be used against it.



## **BRUNSWICK COUNTY PERSONNEL MANUAL**

5.3.1 A personal service of notice of fine should be referred in order to the County Attorney, County Manager and the Human Resources Department.

5.3.2 The Human Resources Department will be notified immediately of any service.

### **6. SPECIAL PROGRAMS**

6.1 The County supports training programs to ensure compliance with this policy. The programs include, but are not limited to, the following:

6.1.1 EEO Training for Department Heads

6.1.2 Interviewing and Reference Checking Programs

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION I HUMAN RESOURCES PHILOSOPHY

### Policy #170 Nature of Supervision

**PURPOSE:** The relationship between supervisory personnel and employees is vitally important in determining employee morale. The County encourages the development of supervisory skills.

**SCOPE:** This policy includes responsibilities and expectations for supervisors in maintaining high morale and productivity.

#### **POLICY AND PROCEDURES:**

##### **1. BASIC PRINCIPLES OF GOOD SUPERVISOR/SUBORDINATE RELATIONS**

- 1.1 Good relations between supervisors and their employees are essential for high morale and productivity at all levels of County Government. Such relations result when each group understands the roles and responsibilities of the other, and each develops an attitude of trust and cooperation.
- 1.2 Effective supervision occurs when supervisors make the effort to understand and communicate with each subordinate as an individual, and when employees work with supervisors as partners, rather than as adversaries, in achieving personal and organizational goals.

##### **2. RESPONSIBILITIES OF SUPERVISORS**

- 2.1 Supervisors should give prompt feedback to employees for both good and poor performance.
- 2.2 Supervisors should conduct regularly scheduled performance appraisal interviews according to the guidelines set forth in Section III, Policy # 340 of this manual.
- 2.3 Supervisors should be willing to answer questions and discuss issues with employees.

##### **3. RESPONSIBILITIES OF EMPLOYEES**

- 3.1 Employees should offer suggestions and advice.
- 3.2 Employees should provide feedback after decisions and policy interpretations have been explained by supervisors.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

- 3.3 Employees should benefit from the County's open door policy by asking questions, and by discussing issues with supervisors.
- 3.4 Employees should work with other members of their units in a spirit of cooperation to achieve County/Department goals.
- 3.5 Employees may discuss performance standards and work goals with their supervisor.
- 3.6 Employees should take the Performance Appraisal Process seriously and be prepared to discuss their performance during the appraisal interview.

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION I HUMAN RESOURCES PHILOSOPHY

### Policy #180 Staff Development And Training (*Revised 4/03/2017*)

**PURPOSE:** Brunswick County and its employees benefit when good staff development and training programs are in place. Within the County, staff development and training programs are offered both during and outside of working hours, and on and off the worksite. By offering such opportunities, the County enhances productivity and morale, keeps up with changing technology, reduces turnover and improves prospects for future success.

**SCOPE:** This policy describes the County's training and development programs and the reasons for their existence. It includes procedures for obtaining and for recommending training for others.

#### ***POLICY AND PROCEDURE:***

##### **1. TRAINING AND DEVELOPMENT PROGRAMS**

- 1.1 The County may provide new employees with orientation training to help them understand how County government functions and to explain policies, procedures, rules, regulations and benefit packages.
- 1.2 The County may provide on-the-job training and feedback as necessary to improve the employee's skills.
- 1.3 The County will support Department Heads and experienced employees' attempts to provide effective on-the-job training to employees and less experienced co-workers.
- 1.4 For new employees who are not familiar with their assigned positions, the County may provide either on-the-job training or special training programs. Employees may be paid for time spent in training.
- 1.5 For employees who are performing their jobs satisfactory the County may provide additional types of training such as:
  - 1.5.1 Training to broaden or enhance skills for the position currently held.
  - 1.5.2 Training to develop the employee for possible future promotion.
- 1.6 For employees whose positions are eliminated as a result of changes in technology, organization strategy or budgetary conditions, the County may offer retraining programs whenever feasible.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

- 1.7 For employees in supervisory positions, the County may offer basic programs in supervision.
- 1.8 For employees whose position requires direct or telephone contact with the public, the County may offer basic programs for customer service.
- 1.9 For Department Heads, the County may offer advanced training in management techniques related to their position and responsibilities.
- 1.10 For Department Heads and other employees whose position requires specialized technical knowledge, the County may offer opportunities to interact with other professionals at conferences and conventions.
- 1.11 Some programs, such as orientation training and supervisory training for new Department Heads may be mandatory and may be scheduled automatically.

### **2. PROCEDURES FOR REQUESTING TRAINING**

- 2.1 The Human Resources Department (with input from the County Manager, Department Heads and other employees) has responsibility for the County's training program, including selection of participants.
- 2.2 Optional training programs may be requested in several ways:
  - 2.2.1 Employees may ask Department Heads to request the training
  - 2.2.2 The Department Head may request training for an individual or for the entire department.
  - 2.2.3 The County Manager may request training for individuals or groups
  - 2.2.4 The Human Resources Department may request training for individuals or groups based on needs analysis.

### **3. TUITION REIMBURSEMENT**

- 3.1 Full-time employees who have completed probation may request reimbursement of tuition, fees and books for educational programs related to their current job or prepare for another job within the County which would require a higher level of knowledge. Any reimbursement by the County is intended to supplement and not take the place of other financial support.
  - 3.1.1 Approval for tuition reimbursement must be obtained in advance of the educational program. A request is required to be submitted in writing for each semester and list

## BRUNSWICK COUNTY PERSONNEL MANUAL

the courses that are being requested for approval, and routed through the Department Head, Human Resources, Finance and the County Manager for final approval.

- 3.1.1.1 Approval of tuition reimbursement is subject to availability of funds and should be reviewed during the budget process.
- 3.1.2 Reimbursement will be limited to expenses that are not covered by public assistance such as grants or scholarships.
- 3.1.3 The course must be related to the employee's present position or career potential within the relevant field of study. Courses will be considered on an individual basis for relevance.
- 3.1.4 Amount of reimbursement is limited to the 'in-state' rate per credit hour charged by a local public North Carolina Community College or University of North Carolina school system for similar coursework. Subject to approval, the County will reimburse as follows:
  - All courses taken through Brunswick Community College – 100% of tuition and fees, plus 100% of textbooks.
  - For courses taken through any other college or university:
    - For Undergraduate programs – 75% of tuition and fees, plus 75% of the cost of textbooks, with a cap of 4 courses per fiscal year.
    - For Graduate programs - 50% of tuition and fees, plus 50% of the cost of textbooks, with a cap of 3 courses per fiscal year.
- 3.1.5 The maximum annual reimbursement shall not exceed the IRS guidelines for a non-taxable benefit on Employer-Provided Educational Assistance.
- 3.1.6 The employee's job performance must continue at a satisfactory level.
- 3.1.7 Reimbursement will be contingent upon notice of successful completion (Passing grade of "C" or better) in the course.
- 3.1.8 A copy of the grade report and original receipts for expenditures must be included with the request for reimbursement and submitted no later than 60 days after the course is completed.
- 3.1.9 If an employee voluntarily terminates employment within 24 months of receipt of tuition funds, the employee will be required to reimburse the County for funds received. The employee through their participation in the tuition reimbursement program, authorizes the County to deduct the repayment amount, if applicable, from wages for hours worked, leave or other funds due to employee at the time of termination.

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION II EMPLOYMENT POLICIES

### Policy #205 Recruitment and Employment (*revised 9/18/2017*)

#### PURPOSE/SCOPE:

Brunswick County recognizes the importance of effective hiring practices. Our goal is to obtain the best selection of candidates with job-related qualifications, to ensure that all job candidates receive fair treatment, and to provide opportunities for current employees. All requests to fill vacant positions should be in accordance with this policy. This policy applies to all current and future employees.

#### Statement of Equal Employment Opportunity

It is the policy of the County to maintain a systematic, consistent recruitment program, to promote equal employment opportunity, and to identify and attract the most qualified applicants for all present and future vacancies. Equal employment opportunities are allowed without regard to race, color, religion, gender (including pregnancy), national origin or non-disqualifying handicap.

#### POLICY:

##### 1. Recruitment

- 1.1 Department Head submits position/advertising vacancy requisition to Human Resources for approval. Once approved, Human Resources will notify the Department Head and assist in the recruitment process.
- 1.2 Human Resources will post positions for a minimum of five (5) working days.
- 1.3 Optional recruiting publicity may be carried out through media appropriate to the position, as decided by the Department Head and Human Resources. Recruiting announcements shall include information pertinent to the position/work involved, and assurance of Equal Employment compliance.
- 1.4 In some circumstances where a situation warrants internal recruitment, the external posting requirement may be waived with the approval of the County Manager.
- 1.5 Exceptions to posting requirements may be requested by the Department Head. The request not to recruit will include a legitimate business need and may be authorized only by the County Manager. Examples include, but are not limited to:

- Management reorganization

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

- Lateral transfers for effective use of current resources
- Disciplinary transfers or demotions
- Prevention of work delays
- Legally binding settlement agreements
- Temporary positions
- Reinstatement within 30 days of separation or transfer

### **2. Application for Employment**

- 2.1 The acceptable application for all position listings shall be the electronic Applicant Online Application. Applications shall be accepted only for positions currently posted on Applicant Online.
- 2.2 The receipt of any employment inquiries from persons and/or sources shall normally be forwarded to the Human Resources Department for further action, as required.

### **3. Application Tracking**

- 3.1 The Human Resources Office shall be responsible for oversight of all job announcements, including posting and closing dates, all optional referral sources utilized during the recruitment process, and maintaining the specifics on the pool of applicants considered for each vacancy.
- 3.2 The specifics shall include all applicants for each job vacancy including age, gender and racial or ethnic group, according to requirements for recording applicant information for EEO reporting purposes. To the extent that it is practical, these records shall be reviewed periodically in connection with the county's overall selection procedures, to ensure that equal consideration is given to all qualified applicants.

### **4. Interviewing of Candidates**

- 4.1 Department Heads participating in the selection interview process are responsible for coordinating and maintaining the interview schedule and ensuring the interviewing staff follows appropriate guidelines. A representative from Human Resources shall participate on interview panels, unless prior approval is obtained from the County Manager.
- 4.2 The following are a few of the guidelines to be used in an interview:
- Questions asked during the interview must be job related.
  - Questions may not be asked about the applicant's personal life.
  - Questions may not be asked of a woman that would not be asked of a man, nor of a man that would not be asked of a woman.
  - No oral or written inquiry will be made of an applicant for employment with regard to date of birth, marital status, financial status, number of children or child care arrangements, disability, pregnancy, garnishments, nor will such information be used regarding any employment decision.



## **BRUNSWICK COUNTY PERSONNEL MANUAL**

### **5. Merit Principle/Qualified Standards**

- 5.1 All applicants considered for employment or promotion, shall meet the employment qualifications established by the job description relating to the position to which the application is being made.
- 5.2 All hiring decisions shall be made on the basis of merit and qualifications and without regard to politics, age, race, gender, color, non-disqualifying handicap, religious affiliation, or national origin.
- 5.3 Brunswick County complies with U.S. law (E-Verify) that requires employment of only individuals who may legally work in the United States – either U.S. citizens, or foreign citizens who have the necessary authorization. The employee must furnish a completed I-9 Form and provide the appropriate documentation before commencing work.
- 5.4 Based on the qualification weaknesses of applicants submitted, the County may hire an applicant in a training capacity who does not meet all minimum qualifications for a particular job. In this instance, the deficiencies may be eliminated through orientation, certification, and/or on-the-job training.

### **6. Selection**

- 6.1 Each department will review applications and interviews will be granted to the most qualified candidates.
- 6.2 Department Head may discuss salary requirements with the candidate but may not extend an offer until approved by Human Resources, Finance, and the County Manager or their delegate.
- 6.3 Once approved, the Department Head will contact the selected candidate, make a contingent offer, dependent upon satisfactory results of all background checks and pre-employment testing and collect the appropriate consent forms.
- 6.4 Upon receipt of applicant's consent, Human Resources will conduct a background check and the selected candidate will be required to submit to a pre-employment drug test. Other tests may also be required depending on the Department.
- 6.6 Upon receipt of successful completion of tests, Human Resources will notify the Department Head and/or hiring manager. The hiring manager or Human Resources may contact the selected candidate and arrange for a suitable start date. The preferred start date for external hires occur on Monday and internal hires occur the first Monday of a pay period. All other candidates shall be informed by Human Resources of their status after the completion of the selection process.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

- 6.7 If the duties of the position involve operation of county owned/insured vehicles, the Department Head shall request that Human Resources review the driving record of the selected candidate.

### **7. Promotion of an employee to fill a vacancy (internal department career ladder progression)**

- 7.1 Candidates for promotion shall be determined on the basis of their qualifications and their work records without regard to age, gender, race, color, creed, religion, political affiliation, national origin, or non-disqualifying handicap. Performance appraisals and work records for all personnel being considered for promotion meeting minimum qualifications for the position shall be carefully examined when opportunities for positions in higher classifications occur. If a posting for the opportunity is required, then the posting period must still be held in accordance with Section 1.2 of this policy.

### **8. Pre-Employment Testing and Pre-Employment Checks**

- 8.1 The Department Head or the hiring manager should make it clear to the applicant that the offer and acceptance of a job are contingent upon satisfactory completion of job-related pre-employment procedures.
- 8.2 Pre-employment requirements may vary by department.
- 8.3 Reference checking is the responsibility of the Department Head in cooperation with Human Resources.
- 8.4 If the background check reveals any convictions or other negative background information it does not mean the applicant will not be offered employment. The following criteria shall be taken into consideration for employment decisions:
- The nature and gravity of the offense.
  - The length of time that has elapsed since the offense occurred.
  - The age of the person at the time of the conviction.
  - Whether the offense is reasonably related to the duties and responsibilities of the employment sought by the applicant.
  - Any information pertaining to the degree of rehabilitation that may have taken place in the applicant.
- 8.5 If a candidate being considered for employment fails the pre-employment drug test, he/she is disqualified from being considered for hire and he/she cannot apply to the County for the next three years.

### **9. Probationary Period of Employment**

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

- 9.1 All newly hired or re-hired full-time regular employees selected for a new position through a promotion, demotion or transfer will serve a probationary period for a minimum of three (3) months, but not to exceed nine (9) months. Any employee serving a probationary period may be dismissed at any time with or without cause. Employees dismissed during the probationary period have no appeal rights.
- 9.2 Any Brunswick County employee selected for a new position through a promotion, demotion or transfer will comply with 9.1 above with the exception that existing benefits shall remain in effect.
- 9.3 Employees completing the probationary period will be considered regular employees and notification of such from the department head will be placed in the employee's personnel file.

### **10. Exclusions**

- 10.1 The Sheriff Office and Register of Deeds are exempt from this policy but not from Federal or State laws. For example, pursuant to NCGS Sec. 153A-103, the appointment by the Sheriff or Register of Deeds of a relative by blood or marriage of nearer kinship than first cousin or of a person who has been convicted of a crime involving moral turpitude requires prior approval of the Board of Commissioners. Employees for these groups are not exempt from other requirements such as E-verify, I-9 or hiring start dates.
- 10.2 Where still in existence, Competitive Services employees should utilize the State Personnel Act.
- 10.3 Nothing contained in this policy shall prohibit the transfer, rehire, promotion, demotion or other action with respect to an employee incident or to effect the settlement of an employee grievance or lawsuit.

### **11. Employment of Minors**

- 11.1 Persons under the age of 18 are considered to be minors.
- 11.2 Provisions of federal and state laws regarding wages, hours, working conditions of minors, including but not limited to overtime work, operation of machinery, night shift work, lunch periods, schooling, and other working conditions, shall be strictly followed.
- 11.3 Persons from age 14 to 17 may be hired under the following conditions:
- Birth certificate will be furnished and age verification entered on the applicant's official record.
  - Work permits will be furnished as required by state law and verification of work permits entered on the applicant's official record.

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION II EMPLOYMENT POLICIES

### Policy #210 Employment of Relatives (Nepotism) *(revised 9/18/2017)*

**PURPOSE:** Brunswick County recognizes that employing members of the same family and/or relatives of current County employees and/or elected officials may present concerns of favoritism or conflict of interest, and therefore represent situations that require special rules and regulations.

**SCOPE:** This policy applies to all potential and current employees. It sets forth procedures to be followed and rules governing nepotism. These procedures are to be followed in addition to those set forth in Personnel Policy # 205, Recruitment and Employment, except the Sheriff and Register of Deeds are not subject to Policy # 205.

#### **POLICY:**

##### **1. EMPLOYMENT OF IMMEDIATE FAMILY AND/OR RELATIVES**

- 1.1 Members of an immediate family will not be employed at the same time if such employment would result in an employee directly supervising a member of his or her immediate family.
- 1.2 The term “Immediate Family” is defined for the purpose of this section as wife, husband, mother, father, daughter, son, sister, brother, grandmother, grandfather, granddaughter, and grandson. It also includes step, half, and in-law relationships based on the listing in this section.
- 1.3 Immediate family and relatives of employees may be considered for placement within the organization. However, under no circumstances is a person to be hired simply because of a relationship with a current employee or elected official. Also, employees or elected officials may not attempt to influence placement decisions on behalf of relatives.
- 1.4 In addition to the prohibition on direct supervision of an immediate family member, immediate family members shall not work together in the same department unless separation can occur through department divisions and/or shifts.

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION II EMPLOYMENT POLICIES

### Policy #215 Processing For New Employee

**PURPOSE:** New employees must be oriented and proper documentation necessary to comply with various state and federal regulations and payroll reporting procedures must also be secured.

**SCOPE:** This policy affects all employees.

#### **POLICY AND PROCEDURE:**

##### **1. REQUIRED DOCUMENTATION**

1.1 Following employment, the Human Resources Department will secure the following documents, if required:

1.1.1 Alien registration card

1.1.2 Working papers (if under 18)

1.1.3 Copy of diploma and/or final transcript

##### **2. COMPLETION OF FORMS**

2.1 The Human Resources Department will have the employee complete the following tax forms: Federal Withholding (W-4), State Withholding (NC-4), and W-4E (no tax liability) if applicable.

2.2 The Human Resources Department will also have the employee complete Form I-9 (Immigration).

##### **3. PHOTOGRAPH**

3.1 The Human Resources Department will ensure that all new eligible employees are photographed, assigned an employee number, given a group identification card and a benefits program package, as appropriate.

##### **4. ORIENTATION - BENEFIT EXPLANATION**

4.1 The Human Resources Department will orient the new employee, discuss basic benefits and have the appropriate enrollment forms completed. The forms to be covered include, but are not limited to; Group Medical/Dental benefits, Group Life Insurance, Group Disability benefits and Retirement.

## BRUNSWICK COUNTY PERSONNEL MANUAL

- 4.2 All new employees are required to participate in the employee orientation program at a specified time during their first three (3) months of employment, preferably as soon as possible after their initial employment date.
- 4.3 The Human Resources Department will provide each new employee with the following items: Group Health Insurance benefits booklet, Brunswick County Employee Handbook and an orientation packet which includes pamphlets, brochures and booklets containing pertinent information on various programs offered by the County.

### 5. DEPARTMENT HEAD RESPONSIBILITIES REGARDING NEW EMPLOYEES

- 5.1 The Department Head shall complete an *Employee Action Form*, including coded classifications for purposes of fulfilling EEO reporting requirements. This information is to be completed by visual observation.
- 5.2 The Department Head will conduct a brief orientation to acquaint the employee with the basic facts regarding the County, its rules and procedures and other departmental procedures.
- 5.3 The Department Head will remind all new employees that they will be placed on a probationary period during which time they can be dismissed without a hearing on the cause.

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION II EMPLOYMENT POLICIES

### Policy #220 Probationary Period (*Revised 04/18/2016*)

**PURPOSE:** New employees shall serve a probationary period, which will be used to determine the employee's ability to perform the duties set forth in their job description. Before offering extensive benefits and full employment status, Brunswick County needs to feel confident that the individual will make a positive contribution.

**SCOPE:** This policy applies to all new employees. It describes the probationary period procedures and lists the responsibilities of Supervisors, Department Heads, and the Human Resources Department in administering the policies effectively.

#### **POLICY AND PROCEDURE:**

##### **1. OVERVIEW OF PROBATIONARY PERIOD**

- 1.1 All new employees of the County will be on a probationary period for a minimum of three (3) months, but not to exceed nine (9) months from their date of hire.
- 1.2 During the probationary period, the following benefits will not be available to the employee:
  - 1.2.1 Family And Medical Leave
  - 1.2.2 Vacation leave (earned but not taken)
- 1.3 The following benefits are available to new employees during the probationary period:
  - 1.3.1 Life insurance
  - 1.3.2 Major medical insurance / Long-Term Disability
  - 1.3.3 Dental insurance
  - 1.3.4 Sick leave (as earned)
  - 1.3.5 Retirement
  - 1.3.6 401K (supplemental retirement plan)
- 1.4 During the probationary period, the employee may resign without providing an explanation but is encouraged to give advanced (2 weeks) notification.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

1.5 An employee may be terminated at will at any time during the probationary period.

### **2. HUMAN RESOURCES DEPARTMENT'S RESPONSIBILITIES**

2.1 The Human Resources Department will explain the organization's probationary period policy and procedures to all new employees during orientation.

### **3. DEPARTMENT HEAD'S RESPONSIBILITIES**

3.1 The Department Head will remind each new employee about the probationary period when the employee first reports to work.

3.2 The Department Head will provide positive and negative feedback to the employee whenever appropriate during the probationary period.

3.3 The Department Head may terminate an employee at any time during the probationary period, provided that the Department Head has consulted the Human Resources Director prior to doing so.



# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION II EMPLOYMENT POLICIES

### Policy #250 Separation From Employment, Disciplinary Action And Reinstatement (Revised 9/06/2016)

**PURPOSE:** Brunswick County recognizes that an employee may terminate his/her services with the County and services of an employee may be terminated by the County as well.

**SCOPE:** This policy applies to all employees and sets forth the procedures of separation from employment, disciplinary action and reinstatement.

#### **POLICY AND PROCEDURE:**

#### 1. VOLUNTARY SEPARATIONS

##### 1.1 Resignation

1.1.1 An employee may terminate his/her services with the County by submitting a resignation to his/her Department Head. A minimum of two weeks' notice is expected from the resigning individual. Resigning employees on notice are still expected to adhere to County policies and department work schedules or other disciplinary actions, such as suspension without pay, may occur.

If an employee absents himself/herself for three consecutive work days without written notification to the Department Head, the employee will have, in effect, voluntarily terminated his/her employment with the County because he/she is unavailable for work and on leave without approval.

1.1.2 An employee shall return all County property and equipment to their manager and / or Department Head. If County property / equipment is not returned, advanced compensation may be impacted and / or restitution may be required. The County may take appropriate action for restitution.

##### 1.2 Retirement

1.2.1 Retirement is considered to be a voluntary separation. An employee may terminate his/her services with the County by submitting a request for retirement to his/her Department Head who shall forward this request to the Human Resources Department. Human Resources may notify the Department Head to ensure communication is occurring. *See Policy # 255 on Retirement for more information.*

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

- 1.2.2 Sick leave, in accordance to leave policy, is to be used for sick time only and is not to be given for time off until retirement. Sick leave may be used for a service credit in accordance to the North Carolina Retirement System.
- 1.2.3 Any vacation must still be approved by the employee's manager.
- 1.2.4 County policies and department work schedule should still be followed.
- 1.2.5 While an employee's retirement through the North Carolina Retirement System will not be impacted, an employee that does not adhere to County policy and procedure may be subject to other disciplinary actions up to and including suspension without pay and / or dismissal. If an employee is eligible for retirement medical and is dismissed before their retirement date due to not adhering to County policy, then they may lose their retirement medical due to eligibility impact of not being an active employee.

## **2. INVOLUNTARY SEPARATIONS**

### **2.1 Dismissal**

- 2.1.1 Dismissal is an involuntary separation and shall be made in accordance with proper procedures of this policy. The Department Head, or authorized board, must approve all dismissals, except for employees excluded from coverage as identified in Section I, Policy # 110, Part 4. Upon dismissal, an employee will receive separation pay, according to the appropriate regularly scheduled payroll period, which will cover only the days actually worked and any accrued benefits due to the employee.
- 2.1.2 If a Department Supervisor, Manager or Director recommends that an employee be dismissed, a pre dismissal conference shall be conducted by the County Department Head.
  - 2.1.2.1. Advance written notice (minimum one day if possible) should be provided to the employee. The notice should include the following:
    - Inform employee that there will be a pre-disciplinary / dismissal conference including time, date and location.
    - Provide a summary of the incident or issues for which the dismissal is being considered.
    - Explain the type of action (dismissal) is being considered, but no decision has been reached.
    - Advise the employee that the conference is an opportunity for them to respond and / or provide their supporting information to the incident(s) / issue(s) during the conference.

## BRUNSWICK COUNTY PERSONNEL MANUAL

- Human Resources and / or a second management representative shall be present during the conference.
- No attorney shall be present for either side at the conference.
- The employee shall not bring anyone else to attend the conference.

2.1.2.2 During the conference, the following should occur:

- Review specific reasons with appropriate information and supporting evidence for action being considered either orally or as part of a written notice of the recommendation for dismissal.
- Department Head may have other representation present and if necessary security personnel.
- No attorney may be present.
- Inform employee that no final decision has been made.
- Solicit information from employee which will allow explanation of the employee's perspective of the issues.
- The employee does not have option of presenting a witness, however, they may provide names of those whom they believe witnessed the incident or issue. Department head may follow up with witness names provided before making decision.

2.1.2.3 After the conference, the Department Head will consider what was discussed during the conference, evaluate all the available information and reach a decision on the proposed recommendation. The Department Head should review their findings with the Human Resource Director or delegate before communicating any decisions. If the decision is to dismiss the employee, a written letter of dismissal containing the specific reason for dismissal, the effective date of the dismissal, request for return of all county property by the employee and the employee's appeal rights shall be issued to the employee in person or by Certified Mail, usually within 5 working days after the conference.

### 2.1.3 Dismissal During Probationary Period

#### 2.1.3.1 New Employee

2.1.3.1.1 An employee serving probation may be dismissed upon recommendation of the supervisor, manager or director to the Department Head. While a pre-disciplinary / dismissal conference is not required, the approval of the Department Head along with the review of the Human Resource Director or delegate is still recommended. A written notice of dismissal shall be provided to the employee prior to or at the time of dismissal.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

### **2.1.3.2 Appeal Rights for Probationary Employee**

- 2.1.3.2.1 New (which according to definition includes promoted / lateral transferred employees), or reinstated employees serving probation shall have no right to appeal dismissal action except in a case involving alleged discrimination on constitutionally protected grounds.

### **3. REDUCTION IN FORCE (RIF)**

- 3.1 Reduction in force may result from changes in programs, cutbacks in funding, economic impacts, reorganization or decreased workload.
- 3.2 In the event that a reduction in force becomes necessary, many factors will be considered to determine the employees to be retained, including the quality of each employee's performance as documented by current performance appraisals, organizational needs, skills, knowledge, ability and seniority. Employees who are separated from employment due to a reduction in force may be given at least a two (2) weeks' notice. No regular employee shall be separated while there are temporary employees serving in the same class in the department unless the regular employee is not willing or qualified to transfer to the position held by the temporary employee.
- 3.3 A reduction in force in a department under the authority of an elected official, such as the Sheriff or Register of Deeds, will be directed by the department head.

### **4. SEPARATION DUE TO MENTAL OR PHYSICAL DISABILITY**

- 4.1 An employee may be separated from employment for disability when he/she cannot perform the essential functions of the job with reasonable accommodation because of physical or mental impairment. Action may be initiated by the employee or the County, but in all cases it must be supported by medical evidence certified by a competent physician. The County may require an examination at its expense to be performed by a physician of its choice. Before an employee is separated for disability, reasonable efforts shall be made to locate alternative positions within the County's service for which the employee may be suited.

### **5. DEATH**

- 5.1 All compensation due in accordance with Section II, Policy #262, of this policy will be paid to the estate of a deceased employee if not otherwise designated. The date of death shall be recorded as the separation date for computing compensation due.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

### **6. DISCIPLINARY ACTION**

- 6.1 An employee may be suspended, demoted and/or dismissed upon approval of the Department Head because of failure in performance of duties or failure in personal conduct. An employee may be suspended pending an appeal hearing.
- 6.2 All written warnings or disciplinary action shall be documented with copies to the Human Resources Department. There is to be no suspension, demotion or dismissal with the exception of immediate disciplinary suspension regarding personal conduct, without review by the Human Resources Department to ensure that required procedures have been followed.
- 6.3 All disciplinary suspensions shall be without pay.

### **7. IMMEDIATE DISCIPLINARY SUSPENSION**

- 7.1 An employee may be suspended without notice by the Department Head for causes related to personal conduct and/or failure in performance of duties, where the performance threatens the safety of persons or property. When a Department Head suspends an employee he/she shall leave County property at once and remain away until further notice. The Department Head shall notify the Human Resources Director or delegate immediately.
- 7.2 A written summary giving the circumstances and facts leading to the suspension shall be prepared; one copy shall be delivered to the employee by certified mail, within five (5) working days. In addition, a copy shall be sent to the Human Resources Department to be filed in the employee's personnel file.
- 7.3 All immediate disciplinary suspensions shall be without pay.

### **8. NON-DISCIPLINARY SUSPENSION**

- 8.1 During the investigation, hearing or trial of an employee on any criminal charge or during the course of civil action involving an employee, the Department Head, with prior written approval from the County Manager that required procedures have been followed, may suspend the employee for the duration of the preceding as a non-disciplinary action. The investigation, hearing, trial, or civil action must involve matters that may form the basis for disciplinary suspension, demotion or dismissal in order for the non-disciplinary suspension to be allowed.
- 8.2 Full recovery of pay and benefits for the period of non-disciplinary suspension will be authorized by the Department Head if the suspension is terminated with full reinstatement of the employee.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

### **9. EMPLOYEE APPEAL**

- 9.1 A general employee wishing to appeal a demotion, suspension or dismissal may present the matter in accordance with the provisions of the grievance procedure prescribed in Section VI, Policy #600 of this manual.

### **10. FAILURE IN PERFORMANCE OF DUTIES**

- 10.1 An employee whose work is unsatisfactory over a period of time shall be notified by their manager and / or the Department Head in what way the employee's work is deficient, and what must be done if the work is to be satisfactory.

10.1.1 The following causes relating to failure in the performance of duties are representative, but not exclusive, of those acts considered to be adequate grounds for suspension, demotion or dismissal:

- 10.1.1.1 An overall appraisal of "unacceptable" on the performance evaluation;
- 10.1.1.2 Refusal to obey instructions from Supervisor and/or Department Head;
- 10.1.1.3 Work performance deficiencies, such as inattention to or negligence of the duties of one's position, failure to maintain regular hours, etc.
- 10.1.1.4 Unexcused absence without approved leave;
- 10.1.1.5 Discourteous treatment of the public or other employees;
- 10.1.1.6 Performance of personal work or other outside activities on County time.
- 10.1.1.7 Careless, negligent or improper use of County property or equipment;
- 10.1.1.8 Habitual improper use of leave privileges; and
- 10.1.1.9 Habitual pattern of failure to report for duty at the assigned time and place.

- 10.2 All actions resulting in failure of performance of duties will be cumulative (meaning it does not have to be for the same job performance issue) and progressive in nature.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

10.3 The following procedures shall be followed when an employee is suspended, demoted or dismissed for unsatisfactory performance of duties, except when the performance threatens the safety of persons or property.

10.3.1 Step One - WRITTEN WARNING.

*A written warning* issued by the employee's Supervisor/ and / or Department Head. Copy of letter to Human Resources Department. Employee is not required to sign letter of warning.

10.3.2 Step Two - SECOND WRITTEN WARNING

Warning (letter) which sets forth continued deficiencies issued by their supervisor / manager and / or the Department Head, which notifies the employee that failure to make improvements may result in dismissal. Copy of letter to Human Resources Department. Employee is not required to sign letter of warning.

10.3.3 Step Three - LETTER OF ACTION

Written notice stating action of suspension, demotion and/or recommendation for dismissal by employee's supervisor / manager and / or Department Head. Copy of letter to Human Resources Department. Employee is not required to sign letter of warning / action.

10.3.4 Step Four - PRE - DISMISSAL CONFERENCE

If dismissal is recommended, a pre dismissal conference shall be conducted as set forth in Part 2 and Part 6 of this policy.

### **11. FAILURE IN JOB-RELATED PERSONAL CONDUCT**

11.1 An employee may be suspended, demoted or dismissed for causes relating to personal conduct. Cause for disciplinary action includes, but is not limited to, the following:

11.1.1 Fraud in securing employment;

11.1.2 Dishonesty;

11.1.3 Off-duty misconduct, where such conduct could likely have a direct and material adverse impact on the County's interests, including public image;

11.1.4 Conviction of a felony;

11.1.5 Discourteous treatment of the public;

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

- 11.1.6 Willful and wanton disobedience;
  - 11.1.7 Misuse of public property or theft;
  - 11.1.8 Falsification of records;
  - 11.1.9 Violation of the Drug and Alcohol Free Workplace policy;
  - 11.1.10 Conduct unbecoming a public officer or employee;
  - 11.1.11 Willful acts that would endanger the lives and property of others;
  - 11.1.12 Acceptance of gifts in exchange for "favors" or "influence";
  - 11.1.13 Incompatible employment or conflict of interest;
  - 11.1.14 Violation of political activity restrictions.
  - 11.1.15 Failure to notify Department Head if charged with an offense that may impact the performance of your duties and / or job responsibilities.
- 11.2 No prior disciplinary action is required.
- 11.3 If dismissal is recommended, a pre-dismissal conference shall be conducted as set forth in Part 2 and Part 6 of this policy.

### **12. FAILURE TO OBTAIN OR MAINTAIN REQUIRED CERTIFICATIONS OR LICENSURES**

- 12.1 An employee may be suspended, demoted or dismissed for failure to obtain or maintain required certifications or licensures; examples include, but are not limited to, Building Inspector Certifications, Nursing Licensures, and Environmental Health Registrations.
- 12.2 No prior disciplinary action is required.
- 12.3 If dismissal is recommended, a pre-disciplinary conference shall be conducted as set forth in Part 2 and Part 6 of this policy.

### **13. REINSTATEMENT - MILITARY / PUBLIC HEALTH SERVICE**

- 13.1 Any general employee who leaves the services of the County to be inducted into the United States Military Reserve or Public Health Service, or who is called to active duty in one of these services shall be reinstated to the position he vacated or to a position of similar rank or status and pay upon application to the County Manager within ninety (90) days of the date of



## **BRUNSWICK COUNTY PERSONNEL MANUAL**

discharge under honorable conditions. Reinstated employees shall be required to serve a new probationary period.

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION II EMPLOYMENT POLICIES

### Policy #255 Retirement (Revised 5/16/2016)

**PURPOSE:** It is essential for Brunswick County to have a clear policy on retirement that is in accordance with federal and state law. This policy provides a means for retiring employees, increasing the number of opportunities for advancement within the County, and helping the County achieve its personnel planning objectives. It also allows employees to plan effectively for their retirement years.

**SCOPE:** This policy applies to all County employees and includes procedures for notification, pre-retirement counseling, special observances and final separation.

#### **POLICY AND PROCEDURE:**

##### **1. RESPONSIBILITY FOR ADMINISTRATION**

1.1 The County's retirement program is administered by the Human Resources Department through the North Carolina Local Governmental Employees' Retirement System, (NCLGERS).

##### **2. RETIREMENT PROCEDURES**

2.1 In accordance with federal and state law, our organization has no mandatory retirement age. Normal retirement age is determined based on year of birth.

2.2 Each employee will communicate his/her decision to retire to Supervisor and Human Resources 60 – 90 days prior to intended date of retirement. Failure to do so may result in delay of your first retirement payment from the North Carolina Retirement System (LGERS).

2.3 An employee may elect to take an early retirement as set forth by the NCLGERS regulations. The Human Resources Department will discuss options, benefits and pension information with any employee who wants to consider this option.

2.4 Benefits are administered under the directives of the NC Local Governmental Retirement regulations. Retirement Benefits Handbooks may be obtained online at <https://www.nctreasurer.com/Retirement-and-Savings/Managing-My-Retirement/Pages/Benefits-Handbooks.aspx>

## BRUNSWICK COUNTY PERSONNEL MANUAL

### **Retiree Health Insurance**

Employees may qualify for continued coverage under the County's group medical insurance program, as outlined in this section as long as their required monthly premium is timely paid to the County.

Retiring employees must make an election to continue or terminate coverage at the time of their retirement. If they waive the right to continue coverage at the date of retirement, they may not elect coverage at a future date.

#### **2.5 For employees who were hired on or before 12/31/2011**

- 2.5.1 An eligible employee who retires from Brunswick County active service through regular retirement with at least ten (10) years of creditable service with the retirement system; or who through disability retirement has five (5) years of creditable service may continue his or her own health insurance coverage until age 65 at no cost to the retiree. A Medicare Supplement shall be available to retirees who are 65 or older.

#### **2.6 For employees hired/rehired on or after 1/1/2012**

- 2.6.1 An eligible employee who retires from Brunswick County active service through regular retirement with at least ten (10) years of continuous creditable service with Brunswick County or fifteen (15) years of total creditable service with Brunswick County; or who through disability retirement has at least five (5) years of continuous creditable service with Brunswick County may continue his or her own health insurance coverage until age 65.

For example, an eligible employee works for Brunswick County for eight (8) years and their employment with the County terminates (either through RIF or in pursuit of a better opportunity) and they later return to work for Brunswick County for an additional eight (8) years; they will be credited with 16 years of creditable service with Brunswick County.

- 2.6.2 The cost of the health insurance to be paid by the retiree will be consistent with active employee premiums; the county reserves the right to review on an annual basis the health insurance premiums required at the time of plan renewal as it does with active employees.
- 2.6.3 A Medicare Supplement shall be available to eligible retirees who are 65 or older. The County will share in the cost of this benefit based on retiree's years of service with Brunswick County as follows:
- 25+ years of service – 100% paid by the County
  - 15 – 24 years of service – 75% paid by the County
  - 10 – 14 years of service – 50% paid by the County

Retiree must satisfy requirements for retiree health insurance to qualify for this benefit.

## BRUNSWICK COUNTY PERSONNEL MANUAL

### 2.7 For employees hired/rehired on or after 7/1/2015

- 2.7.1 An eligible employee who retires from Brunswick County active service through regular retirement with at least ten (10) years of continuous creditable service with Brunswick County or fifteen (15) years of total creditable service with Brunswick County; or who through disability retirement has at least five (5) years of continuous creditable service with Brunswick County may continue his or her own health insurance coverage until age 65. Dependent coverage is not available for retirees hired/rehired on or after 7/1/2015.
- 2.7.2 The cost of the health insurance to be paid by the retiree will be consistent with active employee premiums; the county reserves the right to review on an annual basis the health insurance premiums required at the time of plan renewal as it does with active employees. Individual premium cost will be consistent with rates established for COBRA continuation.
- 2.7.3 The County will share in the cost of pre-65 health insurance benefit based on retiree's total years of creditable service with the North Carolina Retirement System as follows:
- 25+ years of service – retiree pays cost consistent with active employee premium
  - 15 – 24 years of service – retiree pays 25% of individual premium cost
  - 10 – 14 years of service – retiree pays 50% of individual premium cost
  - 5 years of service (disability retirement only) – retiree pays 50% of individual premium cost
- 2.7.4 A Medicare Supplement shall be available to eligible retirees who are 65 or older with at least ten (10) years of continuous creditable service with Brunswick County or fifteen (15) years of total creditable service with Brunswick County; or who through disability retirement has at least five (5) years of continuous creditable service with Brunswick County. The County will share in the cost of this benefit based on retiree's total years of service with the North Carolina Retirement System as follows:
- 25+ years of service – cost of this benefit is fully paid by the county
  - 15 – 24 years of service – retiree pays 25% of individual premium cost
  - 10 – 14 years of service – retiree pays 50% of individual premium cost
  - 5 years of service (disability retirement only) – retiree pays 50% of individual premium cost

Retiree must satisfy requirements for retiree health insurance to qualify for this benefit. Medicare Supplement is not available to the dependents of retirees.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

### **3. OTHER BENEFITS AVAILABLE TO LAW ENFORCEMENT OFFICERS**

- 3.1. A full-time law enforcement officer, as defined in the NCLGERS regulations is automatically an eligible participant in the Separate Insurance Benefits Plan. This benefit is separate and apart from membership in the Retirement System.
- 3.1.1 This benefit is administered by the NC Local Governmental Retirement System.
- 3.1.2 The plan provides a fixed rate of income if the officer becomes unable to work due to accidental injury or sickness and death benefit. All benefits are subject to the provisions of the insurance policy.
- 3.1.3 Law enforcement officers may obtain claim forms from the Human Resources Department.
- 3.2 A full-time law enforcement officer as defined in the NCLGERS regulations is covered under the Separation Allowance For Law Enforcement Officers. The officer must be a member of the NCLGERS.
- 3.2.1 Any officer who commences retirement and meets the following conditions shall receive a separation allowance. The officer must have:
- 3.2.1.1 Either accrued 30 years of creditable service, regardless of age, or have attained age 55 years of age with a minimum of 5 years of creditable service.
- 3.2.1.2 Completed a minimum of 5 years of continuous service as a law-enforcement officer immediately preceding retirement.
- 3.2.1.3 Not attained 62 years of age.
- 3.2.2. The annual allowance to an eligible retired officer is based on the officer's annual compensation and creditable service and will be paid on the County's normal payroll cycle.
- 3.2.3 The allowance payable to a Retired Officer ceases at age 62, at death, or upon reemployment by a State Department, Agency, or Institution.
- 3.2.4 This benefit is totally paid by the County; no contribution is required of the officer.

### **4. PRE-RETIREMENT COUNSELING**

- 4.1 The North Carolina Local Governmental Employees' Retirement System (NCLGERS) may offer pre-retirement counseling by sponsoring a workshop. The Human Resources Department will notify employees as to the date and location of the workshop.

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION II          EMPLOYMENT POLICIES

### Policy #260          Outside Employment

**PURPOSE:** Brunswick County recognizes that some employees will want to augment their incomes by working for other employers after hours. As this practice may create conflicts of interest or drain the energy required for maximum productivity and safety, Brunswick County has developed a written policy that sets limits on such outside employment.

**SCOPE:** This policy applies to all employees except as set forth in Section I, Policy 110. It includes procedures for resolving critical issues such as conflict of interest.

#### **POLICY AND PROCEDURE:**

##### **1.          LIMITS ON OUTSIDE EMPLOYMENT**

- 1.1 All outside employment for salaries, wages, or commissions and self-employment must be approved annually, in writing, by the Employee's Department Head and County Manager. Any such employment shall be reported within 5 days.
- 1.2 If the employee holds another job that would have adverse effect on productivity, represent a conflict of interest or have a negative effect on the County's image, such employment will not be permitted.
- 1.3 Employees who hold outside employment are expressly forbidden to convert or anyway cause the conversion of County property and/or supplies to the benefit of the outside employer. In the event that such incident is found, the employee will be held liable for misappropriation of County property.
- 1.4 Outside employment will not be considered a valid excuse for any performance problem which the employee may develop while working for the County.
- 1.5 An employee who is injured on another job will not receive compensation and/or benefits from the County.
- 1.6 An employee who is injured on another job to the extent that he/she is unable to perform all duties required by the County will be placed on unpaid leave of absence.

##### **2.          PENALTY FOR VIOLATION OF THIS POLICY**

- 2.1 Violation of this policy will result in disciplinary procedures as presented in Section II, Policy # 250 of this manual.

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION II          EMPLOYMENT POLICIES

### Policy #262          Death Of An Employee

**PURPOSE:** Brunswick County recognizes that the death of an employee or retired employee is always difficult for surviving family members. The County will do everything possible to respond thoughtfully and appropriately to the death of an employee or retired employee.

**SCOPE:** This policy applies to all employees and retired employees. It includes responsibilities and procedures to provide respect, benefits and final pay in a timely and appropriate manner to surviving family members.

#### **POLICY AND PROCEDURE:**

##### 1.          **RESPONSIBILITIES**

- 1.1 This policy applies to employees and retired employees.
- 1.2 The Department Head should notify the County Manager and Human Resources Department of the death of an employee.
- 1.3 A retired employee's estate should notify the Human Resources Department concerning the death of a retired employee.

##### 2.          **RESPECT**

- 2.1 When appropriate, the Department Head of the deceased employee or retiree should represent the County at any memorial service.

##### 3.          **BENEFITS AND FINAL PAY**

- 3.1 The Human Resources Department will assist surviving family members with appropriate forms to receive benefits and final pay.
- 3.2 The final pay will include payment for all time worked, accrued vacation time, and all other balances due. The check is subject to normal withholding deductions.

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION II EMPLOYMENT POLICIES

### Policy #265 Personnel Records

**PURPOSE:** To ensure fairness in Personnel Administration and decisions, Brunswick County must keep adequate personnel records. Personnel records must also be maintained for each employee to meet legal requirements, provide information that may be required in civil or criminal actions and to ensure the efficient administration of the County.

**SCOPE:** This policy applies to all employees. It includes procedures for recording information, examples of information to be recorded and retention periods. It also identifies employee rights and procedures for examining records and specifies to whom and in what circumstances access to these records will be given.

#### **POLICY AND PROCEDURE:**

##### **1. INFORMATION RETAINED IN CENTRAL FILES**

- 1.1 The Human Resources Department will maintain a central file for each employee that will contain only information needed for the smooth operation of the County.
- 1.2 The following information will be kept in an employee's personnel file:
  - 1.2.1 The employment application and copies of documents that support the application.
  - 1.2.2 Changes in personal status such as name, address, marital status, number of dependents, telephone number, persons to be notified in emergencies and beneficiaries of County sponsored benefits.
  - 1.2.3 Performance appraisals.
  - 1.2.4 Documents related to legal actions against the employee that affects the County (such as garnishments or convictions)
  - 1.2.5 Disciplinary records (if any) including supporting documents.
  - 1.2.6 County records relating to performance or service excellence (if any) including supporting documents.
  - 1.2.7 Community merit or recognition records (if any) which would include letters, awards, invitations, etc.



## **BRUNSWICK COUNTY PERSONNEL MANUAL**

### **2. INFORMATION RETAINED BY EMPLOYEE'S DEPARTMENT HEAD**

- 2.1 An employee's Department Head may keep the following information on file:
  - 2.1.1 Copies of performance evaluations
  - 2.1.2 Copies of records or notes relating to the employee's performance.
  - 2.1.3 Copies of attendance records which include tardiness information.
- 2.2 Other relevant information that comes into the possession of the Department Head should be sent to the Human Resources Department for disposition.
- 2.3 An employee's file maintained by the Department Head should be kept under lock and key and opened only to authorized personnel. All others should be referred to the Human Resources Department's central file.

### **3. PERIODIC REVIEW OF CENTRAL PERSONNEL RECORDS**

- 3.1 The Human Resources Department will review all central personnel files at least once a year and destroy information in accordance with the NC Retention and Disposition Schedule.
- 3.2 The County Manager will review personnel files as needed.

### **4. CONFIDENTIALITY OF CENTRAL PERSONNEL RECORDS**

- 4.1 Information in the central personnel files is to be released only in accordance with the NC General Statutes 153A-98.
- 4.2 Documents may not be removed from the central personnel file and may not be taken beyond the Human Resources Department. Central personnel records in their entirety may be delivered to the County Manager for review, and will remain under the Manager's supervision and control until returned to the Human Resources Department.
- 4.3 Documents or other information may be copied only with permission of the Human Resources Department..
- 4.4 Only the Human Resources Department is authorized to release information in central personnel files to outside parties.
  - 4.4.1 Prospective employers will be given only title, dates of employment, and final salary unless a written release for additional information is provided by the employee. Such written releases will become a part of the employee's record.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

4.4.2 Law enforcement officers will be given only such information or documents as specified in duly authorized warrants. A copy of such warrant will become a part of the employee's record.

4.4.3 In emergency situations, the Human Resources Department will use his or her judgment in releasing information. If possible, a witnessed statement as to the situation will become a part of the employee's record. No release without a statement of fact will be made by the Human Resources Department.

### **5. EMPLOYEE'S RIGHT TO INSPECT CENTRAL PERSONNEL RECORDS**

5.1 When an employee wishes to inspect his or her personnel file, a request should be made to the Human Resources Department. An appointment will be made at the earliest convenience of both parties.

5.2 Files may be inspected in the presence of the Human Resources Department or designee, but no record is to be removed from any file nor any file removed from the Human Resources Department.

5.3 An employee may request a correction or deletion of information by the Human Resources Department. If such request is denied, the employee may either add a note of disagreement to the file and/or pursue the County's grievance procedures.

5.4 An employee is not allowed to see the following information:

5.4.1 Letters of reference solicited prior to employment

5.4.2 Information concerning a medical disability, mental or physical, that a prudent physician would not divulge to his patient.

### **6. SECURITY OF PERSONNEL RECORDS**

6.1 The Human Resources Department is responsible for the security of all personnel files being held and maintained by the Human Resources Department.

6.2 Department Heads are responsible for the security of all personnel files held and maintained by him or her.

6.3 The County Manager is responsible for the security of all personnel files under his or her control during periods of review.

### **7. MATTERS RELATED TO PERSONNEL FILES**

7.1 In all matters related to personnel files, all individuals are bound by County policy instructions and general statutes of North Carolina as they relate to the maintenance, usage, release and control of privileged information.

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION II EMPLOYMENT POLICIES

### Policy #270 Request For Information By Outsiders

**PURPOSE:** Occasionally, employees of Brunswick County are contacted by outsiders for information about current or former employees, County policies, practices and projects. All such requests must be referred to appropriate authorities in County Government to guard against possible release of inappropriate, misleading and/or illegal information.

**SCOPE:** This policy applies to all employees and former employees. It includes procedures to be followed when employees or former employees of Brunswick County are contacted by outsiders for information regarding other employees, former employees, or County policies, practices and projects.

#### **POLICY AND PROCEDURE:**

##### **1. REFERENCE CHECKS AND OTHER PERSONAL INFORMATION**

- 1.1 This policy provides for protection to all employees and former employees. All laws and guidelines which pertain to the Federal Privacy Act will be strictly adhered.
- 1.2 All requests for reference checks should be referred to the Human Resources Department with the exception of competitive service employees.
- 1.3 All requests for other personal information should be referred to the Human Resources Department with the exception of competitive service employees.

##### **2. REQUESTS FOR INFORMATION PERTAINING TO POLICIES, PRACTICES AND PROJECTS**

- 2.1 All requests for information concerning County policies should be referred to the County Manager.
- 2.2 All requests for information concerning County practices should be referred to the County Attorney.
- 2.3 All requests for information concerning County projects should be referred to the appropriate Department Head or County Manager.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

### **3. MEDIA CONTACT**

- 3.1 Brunswick County seeks to have good working relationships with the news media.
- 3.2 All requests for information from the news media should be handled with respect but firmly referred to appropriate personnel as identified in Parts 1 and 2 of this policy statement.
- 3.3 In the matter of interviews by the news media concerning County functions, if time allows, all employees should notify the County Manager or the appropriate Department Head as to the time, media, and possible subject matter. In any event, the County Manager or Department Head should be notified as soon as possible and briefed on the scope of the interview.
- 3.4 In all news media contacts, County employees may request proper identification from the media, which indicates name, employer and position of employment.
- 3.5 *ALL PERSONNEL* are cautioned that they may be personally liable for comments they make about employees, former employees or County policies, practices and projects.

### **4. PENALTY FOR VIOLATION OF THIS POLICY**

- 4.1 Violation of this policy may result in disciplinary procedures as presented in Section II, Policy # 250 of this manual.

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION II EMPLOYMENT POLICIES

### Policy #280 Political And Civic Activity (*Revised 9/8/2015*)

**PURPOSE:** Every employee of Brunswick County has civic responsibility to support good government by every available means and in every appropriate manner. Any employee may join or affiliate with civic organizations of a partisan or political nature, may attend political meetings and may advocate and support the principles and policies of civic or political organizations established by the constitution and laws of the State of North Carolina and by the Constitution and laws of the United States of America.

**SCOPE:** This policy covers all employees.

#### **POLICY AND PROCEDURE:**

##### **1. DEPARTMENTAL REGULATIONS**

- 1.1 An employee shall not post, nor cause or allow to be posted any signs, notices or other materials related to any national, state or local political party or candidate in or on property owned, leased or used by the County in the conduct of its official business.
- 1.2 An employee shall not wear or display badges, buttons, or other emblems related to a national, state or local political party or candidate while on duty or during any period of time during which he/she is performing services for the County.

##### **2. CANDIDACY FOR AND SERVICE IN A PUBLIC ELECTION OFFICE**

- 2.1 The primary responsibility of full-time employees is to Brunswick County. Any other employment or service activity in which an employee chooses to engage is secondary. The Department Head has the right under law and policy to determine whether candidacy for and service in a public elective or appointed office, otherwise permissible under law, might have an adverse effect on the employment relationship and/or create a conflict of interest.
- 2.2 An employee, regardless of employment status, shall give the Department Head written notice of intended candidacy or candidacy for elective office, or appointment to a vacancy in a partisan elective office. The notice shall be given to the employee's Department Head and in advance of action whenever possible. In the case of candidacy for nomination or election, an employee shall give notice at least forty-five days (45) prior to the applicable filing deadline.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

- 2.3 Upon receipt of such notice, the Department Head shall forward the notice to the County Manager. The Department Head shall determine whether candidacy for or service in the office might have adverse effect on the employment relationship and/or create a conflict of interest. The Department Head may discuss the matter with the employee and with the County Manager as he/she deems necessary.
- 2.4 The Department Head also shall make a preliminary decision as to the possible application of the Hatch Act to the specific situation.

### **3. RESPONSIBILITIES**

- 3.1 It is the responsibility of every Department Head and Supervisor to ensure that all employees under his/her jurisdiction are informed of the above legal provisions and County policy and regulations.
- 3.2 It is the responsibility of every Department Head and employee to be acquainted with and to comply with these provisions, policy and regulations. Every employee is presumed to be acquainted with the applicable legal provisions and relevant County policy and regulations. Ignorance of such provisions will not excuse a violation.
- 3.3 Failure to comply with statutory restrictions and County Policy is grounds for disciplinary action which, in case of deliberate or repeated violation, may include dismissal.
- 3.4 If an employee is in doubt as to whether any particular activity is prohibited, he/she should present the matter in writing to his/her Department Head before engaging in the activity. The Department Head shall secure assistance and interpretation from appropriate management in responding to the employee's request or questions.

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION III COMPENSATION

### Policy #310 Hours Of Work (*Revised 8/18/2014*)

**PURPOSE:** Brunswick County recognizes the need to clarify the number of actual hours employees are to perform in a regular workweek and therefore be in compliance with the Fair Labor Standards Act.

**SCOPE:** This policy applies to all employees. It defines the normal workday and clarification of hours included in the regular workweek. This policy also forms the basis of policies on overtime, call back and compensatory time.

#### **POLICY AND PROCEDURE:**

#### 1. HOUR OF WORK POLICY (Categories of Employees are defined in Policy #320 – Exempt and Non-Exempt Employees)

- 1.1 The regular workday for Category II, Non-Exempt employees is defined as an eight hour shift.
- 1.2 A regular workday for Category I Exempt employees shall be the necessary number of hours to assure satisfactory performance of their duties, as determined by the Department Head and/or the County Manager.
- 1.3 A regular workweek consists of 40 hours of actual performance. The number of actual hours performed shall be calculated by the number of hours of actual performance and shall not include hours given for holiday(s), petty leave, compensatory time, sick leave and vacation.
- 1.4 A regular workweek is defined as the period of time between 12:00 A.M. Monday and 11:59 P.M. Sunday of the following week.
- 1.5 Law Enforcement Officers shall work an average of 48 hours in a workweek.

#### 2. RECORDING OF HOURS

- 2.1 All Employees, except Exempt Executives and Elected Officials shall record their hours of work in the approved timekeeping system. Other exceptions may be granted by the County Manager.
- 2.2 Employees shall not record the time worked for another employee. Action in violation of this section shall be dealt with in accordance with the disciplinary procedure contained in Policy #250.

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION III COMPENSATION

### Policy #315 Workweek (*Revised 8/18/2014*)

**PURPOSE:** Typically County offices shall be open for business from the hours of 8:30 A.M. to 5:00 P.M., Monday through Friday. In an effort to better serve the public and allow greater customer access, a Department Head may vary an employee's work schedule by electing to expand the department's hours of operation through the utilization of a flexible work schedule.

**SCOPE:** This policy applies to all employees and departments except the Sheriff's Office.

#### **POLICY AND PROCEDURE:**

##### **1. GENERAL CONSIDERATIONS**

1.1 Most County employees shall work a 40-hour workweek. However, for purposes of computing overtime under the Fair Labor Standards Act (FLSA), a pay period shall be defined as an employee's regular workweek. An employee's work period will be determined with reference to the U.S. Department of Labor regulations interpreting the FLSA.

##### **2. ON CALL AND/OR CALL BACK (Non-Exempt Employees)**

2.1 An employee who is scheduled to be "on call" and required to carry a communication device so he/she may be contacted shall be compensated with one hour per day at regular time. An employee that is in the 'on call' status is required to be fit for duty and remain within the County.

2.2 All department heads who utilize staff for "on call" shall include on call pay in annual budget request.

##### **3. CALL BACK AND TRAVEL TIME (Non-Exempt Employees)**

3.1 Ordinary home-to-work travel will not be considered as "hours worked."

3.2 Work-related travel for an employee that occurs before or after an employee's regular working hours may be considered as "hours worked."

3.3 When an employee is called in (call back) to work outside of their normal schedule:

3.3.1 If the employee has a County vehicle, travel time will be considered 'hours worked'.



## **BRUNSWICK COUNTY PERSONNEL MANUAL**

3.3.2 If the employee is using their personal vehicle, travel time will be considered 'hours worked' and they will receive mileage at current federal minimum rate per mile.

3.3.3 A minimum of one hour will be paid or provided as compensated leave to an employee who is called in when they are off duty.

### **4. MEAL SCHEDULE**

4.1 All employees are provided thirty (30) minutes of non-paid time off for meals. The purpose of this time is to afford each employee an opportunity to leave their work area, enjoy a meal and refresh themselves.

4.2 Employees who abuse meal period privileges will be subject to disciplinary action.

### **5. WORK BREAKS**

5.1 Two paid breaks of fifteen (15) minutes each are permitted daily, except in unusual workload demands. The work break is not an employee right, and the break may never be used as a valid reason for failure to perform required duties. Break time may not be accumulated or accrued in any manner. Break time may be added to an employee's meal period but shall not be used at the beginning and end of a workday. As provided under the Fair Labor Standards Act, break time of this duration (15 minutes) will be considered as time worked. Employees who abuse work break privileges will be subject to disciplinary action.

### **6. AGENCIES PROVIDING CONTINUOUS PUBLIC SERVICE**

6.1 Agencies requiring a twenty-four hour operation may adopt varying holiday schedules in keeping with operational needs, provided the employees are given the same number of holidays as approved by the Board of Commissioners for all other employees. Such special holiday schedules must be approved by the County Manager. Proper records shall be maintained by the Department Head.

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION III            COMPENSATION

### Policy #320            Exempt And Non-Exempt Employees (*Revised 8/18/2014*)

**PURPOSE:** Brunswick County recognizes that each position within Brunswick County's position classification must be categorized to comply with the minimum standards of the Fair Labor Standards Act .

**SCOPE:** This policy applies to all full and part-time local government employees of Brunswick County. This policy also forms the basis of policies on overtime, call back pay and compensatory time. In order to determine whether an employee receives overtime pay, call back pay or compensatory time, each position shall be categorized in one of the four categories as set forth in this policy.

#### ***POLICY AND PROCEDURE:***

#### ***PROCEDURES FOR DETERMINATION OF A POSITION:***

##### **1.            CATEGORY I - EXEMPT EMPLOYEES**

A position classified in a bona fide executive, administrative or professional capacity, shall be exempt from minimum wage and overtime pay in accordance to Section 13(a) of the Fair Labor Standards Act. An employee will qualify for exemption if he or she meets all of the pertinent tests relating to duties, responsibilities and salary as stipulated in Section 29 CFR Part 541 of the Fair Labor Standards Act as follows:

##### **1.1        EXECUTIVE - EXEMPT**

All of the following tests must be met:

- 1.1.1 The employee's primary duty must be management of the enterprise or of a customarily recognized department or subdivision; and
- 1.1.2 The employee must customarily and regularly direct the work of at least two or more employees therein; and
- 1.1.3 The employee must have the authority to hire or fire, or recommend hiring and firing; or whose recommendations on these and other actions affecting employees is given particular weight; and
- 1.1.4 The employee must customarily and regularly exercise discretionary powers; and

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

- 1.1.5 The employee must devote no more than 20 percent of his or her hours worked to activities not directly and closely related to the managerial duties; and
- 1.1.6 The employee must be paid on a salary basis as defined by FLSA.

### **1.2 ADMINISTRATIVE - EXEMPT**

All of the following tests must be met:

- 1.2.1 The employee's primary duty must be either:
  - 1.2.1.1 Responsible office or non-manual work directly related to the management policies or general business operations of the employer or the employer's customers; or
  - 1.2.1.2 Responsible work that is directly related to academic instruction or training carried on in the administration of a school system or educational establishment; and
- 1.2.2 The employee must customarily and regularly exercise discretion and independent judgment, as distinguished from using skills and following procedures, and must have the authority to make important decisions; and
- 1.2.3 The employee must:
  - 1.2.3.1 Regularly assist a proprietor or bona fide executive or administrative employee; or
  - 1.2.3.2 Perform work under only general supervision along specialized or technical lines requiring special training, experience or knowledge; or
  - 1.2.3.3 Execute, under only general supervision, special assignments; and
- 1.2.4 The employee must not spend more than 20 percent of the time worked in the workweek on work that is directly and closely related to administrative duties discussed above, and
- 1.2.5 The employee must be paid on a salary or fee basis as defined by FLSA.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

### **1.3 PROFESSIONAL - EXEMPT**

All of the following tests must be met:

1.3.1 The employee's primary duty must be either:

1.3.1.1 Work requiring knowledge of an advanced type in a field of science or learning, customarily obtained by a prolonged course of specialized instruction and study; or

1.3.1.2 Work that is original and creative in character in a recognized field of artistic endeavor the result of which depends primarily on the employee's invention, imagination, or talent; or

1.3.2 The employee must consistently exercise discretion and judgment; and

1.3.3 The employee must do work that is predominantly intellectual and varied, as distinguished from routine mental, manual, mechanical or physical duties, and

1.3.4 The employee must not spend more than 20 percent of the time worked in the workweek on activities not essentially a part of and necessarily incident to the professional duties, and

1.3.5 The employee must be paid on a salary or fee basis as defined by FLSA.

### **2. CATEGORY II - NON-EXEMPT/COMPENSATORY LEAVE TIME**

2.1 Certain positions are classified under the NON-EXEMPT category. The Department Head, in consultation with the Director of Human Resources and County Manager, should review guidelines to determine if a position meets the criteria for being exempt. All positions which fall under CATEGORY II are subject to the FLSA and shall receive compensatory leave time at one and one half times hours worked over the 40 hour work week. The County shall make payment of the balance of compensatory leave time upon separation of the employee.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

### **3. CATEGORY III - NON-EXEMPT/PAY**

- 3.1 Employees working under specified job classifications shall receive overtime payment for overtime hours worked rather than receive compensatory leave time. The County Manager has made an administrative decision to pay overtime for certain job classifications because of the demand of the workload and the inability for the department to relieve the employee for compensatory time off. (Animal Protective Services and Central Communications Center employees fall under this category with overtime pay based on 40 hours.)
- 3.2 Employees in these categories should have all overtime hours reported through the county approved timekeeping system each pay period.

### **4. CATEGORY IV - SHERIFF'S OFFICE AND DETENTION CENTER PERSONNEL**

- 4.1 Employees assigned to the Sheriff's Office and/or Detention Center, excluding Animal Protective Services and the 911 Communications Center shall receive overtime compensation in accordance with Section 207(k) or the Fair Labor Standards Act.
- 4.2 The work period of fourteen (14) consecutive days has been established for these departments. The maximum number of hours paid at regular time shall be eighty-six (86) per 14 consecutive day work period. Any hours worked exceeding 86 hours in a 14 day cycle shall be paid at one and one-half times the regular rate.

### **5. CATEGORY V - EMERGENCY SERVICES**

- 5.1 Employees assigned to Emergency Services working 12 hour shifts shall receive overtime compensation in accordance with the Fair Labor Standards Act.

### **6. OVERTIME AUTHORIZATION**

- 6.1 Overtime work is defined as work that is of an unusual, unscheduled or emergency nature. All overtime work shall require prior approval from the Department Head. Overtime opportunities will be distributed as equally as practicable among employees in the same job class, department and shift regardless of age, gender, race, color, creed, religion, national origin, political affiliation or disability.

6.1.1 All overtime shall require prior approval from the Department Head.

### **7 FURTHER CLARIFICATION OF THESE GUIDELINES**

- 7.1 Refer to State and Local Government Employee under the Fair Labor Standards Act published by the US Department of Labor, Employment Standards Administration, Wage and Hour Division.

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION III COMPENSATION

### Policy #335 Overtime And Special Pay Conditions (*Revised 8/18/2014*)

**PURPOSE:** Brunswick County recognizes that in order to avoid misunderstandings and conflict, employees need to know exactly what additional benefits they will receive for working beyond the normal workweek or for working under unusual or special circumstances. Brunswick County discourages working beyond the normal workday or workweek because excessive overtime places additional burdens on the employee and the County. However, emergencies or service problems do arise which may warrant overtime.

**SCOPE:** Pay practices are consistent with the provisions of the Fair Labor Standards Act (Wage-Hour law) and state laws.

#### **POLICY AND PROCEDURE:**

##### **1. OVERTIME PARAMETERS AND AUTHORIZATION**

- 1.1 Overtime for non-exempt employees other than sworn law enforcement officers and detention officers is defined as time worked over 40 hours in a given seven-day work week beginning 12:00 A.M. Monday through 11:59 P.M. Sunday. Alternate workweeks followed by approved departments begin 12:00 A.M. Sunday through 11:59 P.M. Saturday.
- 1.2 All overtime worked in every department must have the approval of the department head or their designee.
- 1.3 Accounting for overtime for all departments shall be done on the official timekeeping system. Overtime is defined as all hours to the nearest fifteen minutes worked in excess of standard work period; minutes in excess of seven (7) will be rounded up to 15 minutes.
- 1.4 Overtime for law enforcement and detention employees, however, shall be based on a 14-day cycle with overtime being any hours worked in excess of 86 hours for sworn law enforcement and detention officers during the cycle.
- 1.5 All overtime shall be paid or compensated for in accordance with the FLSA.

##### **2. COMPENSATION**

- 2.1 The compensation (pay or compensatory time accrual) for overtime will be made only for hours worked over and above a 40-hour, seven day work week for other than sworn law enforcement and detention officers. Overtime payment for covered non-exempt sworn law

## BRUNSWICK COUNTY PERSONNEL MANUAL

enforcement and detention officers will be made only for hours worked over and above 86 hours during a 14-day cycle.

- 2.2 Hours worked in excess of those listed in the preceding paragraphs, are considered overtime for pay purposes. Pay for compensatory time, vacation time, sick time, holidays is not pay for time worked and is therefore not considered as hours worked for purposes of the overtime rate of pay computations. Pay for overtime hours shall be at the rate of one and one-half times the employee's hourly rate of pay.
- 2.3 Compensatory time off for overtime hours worked may be provided in lieu of immediate overtime pay, in accordance with appropriate current FLSA rules, at the option of the County Manager, for covered non-exempt employees.
  - 2.3.1 Covered non-exempt employees shall be granted compensatory time off for overtime hours worked at a rate of one and one-half hours for each hour of overtime worked subject to the following provisions:
    - 2.3.1.1 The maximum compensatory time which may be accrued by any affected employee shall be 40 hours with the prior approval of the department head and up to 80 hours with the prior approval of the County Manager.
    - 2.3.1.2 An employee shall be encouraged to use compensatory time within a reasonable period, e.g., within 30 to 90 days, if to do so would not unduly disrupt the operations of the work site.
    - 2.3.1.3 Non-exempt employees having accrued compensatory time upon termination of employment shall be paid for such time at the final regular rate received by the employee.
    - 2.3.1.4 Compensatory time off is encouraged with covered non-exempt employees when it is given within the same work week and for law enforcement and detention employees within a fourteen day cycle to avoid an overtime situation from occurring.
    - 2.3.1.5 Accrued compensatory time must be used before annual leave will be approved with the exception of employees on FMLA.
- 2.4 Exempt employees shall not receive overtime payment or compensatory time except in the case of a declared emergency. Refer to Policy #400, Section 25 (Inclement Weather/Non-Emergent Closure and State of Emergency)

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

### **3. HOLIDAY PAY**

- 3.1 Non-exempt, Category III employees who are required to work on a County holiday will receive their regular day's pay and will be given another day off or may be paid at the regular pay rate for an additional eight (8) hours (or 8.5 hours if a 12 hour shift employee).
- 3.2 Exempt, Category III employees who are required by their department head to work on a County holiday will receive their regular day's pay and will be given 8 hours holiday time off (8.5 hours if a 12 hour shift employee) to be used upon employee's request and with supervisory approval.

### **4. ON CALL AND/OR CALLBACK**

- 4.1 See Policy #315, Sections 2 and 3.

### **5. STATE OF EMERGENCY**

- 5.1 Refer to Policy #400, Section 25 (Inclement Weather/Non-Emergent Closure and State of Emergency)



# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION IV EMPLOYEE BENEFITS

### Policy #400 Attendance and Leave (Revised 5/18/2015)

**PURPOSE:** Brunswick County may provide or make benefits available to all full-time employees as defined in the Definitions section of this manual. These benefits are not to be abused by employees but are for the benefit of employees.

**SCOPE:** This policy applies to all benefit eligible employees. It sets forth the procedure for earning leave and use of leave.

#### **POLICY:**

#### 1. HOLIDAYS

1.1 The following days and such other days as the Board of Commissioners may designate are holidays with pay for employees and officers of the County working the basic workweek.

New Year's Day	Labor Day
Good Friday	Veterans Day
Memorial Day	Thanksgiving Day
Independence Day	Day after Thanksgiving
Martin Luther King, Jr. Day	Christmas*

\*Three (3) workdays (see following Christmas Holiday schedule)

<u>Christmas Day</u>	<u>County Observes</u>
Sunday	Friday, Monday, Tuesday
Monday	Friday, Monday, Tuesday
Tuesday	Monday, Tuesday, Wednesday
Wednesday	Tuesday, Wednesday, Thursday
Thursday	Wednesday, Thursday, Friday
Friday	Thursday, Friday, Monday
Saturday	Thursday Friday, Monday

When a holiday other than Christmas Day falls on a Saturday or a Sunday, the holiday shall be observed in accordance with the State of North Carolina.

Employees may wish to be away from work on certain days for religious observances. Department Heads should attempt to arrange the work schedule so that an employee may be

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

granted appropriate leave when requested, unless such leave would cause undue hardship for the department.

1.2 Employees scheduled to work the basic work week will receive 8 hours per holiday. Employees who work 12 hour shifts receive 8.5 hours per holiday.

1.2.1 In order to be eligible for a holiday with pay, a temporary employee working a full time schedule must have worked a full regularly scheduled workday before and after the holiday.

1.2.2 Employees cannot return from leave without pay status on a holiday.

1.2.3 If an employee is on leave without pay status, the type of leave will determine eligibility for holiday:

FMLA (Family and Medical Leave Act – Section 19) – employees will receive holiday with pay

Workers' Compensation (Section 21) – employees shall not be eligible for holiday with pay

Leave Without Pay – employees shall not be eligible for holiday with pay

### **2. HOLIDAYS THAT OCCUR DURING OTHER TYPES OF PAID LEAVE**

2.1 Regular holidays which occur within a vacation, sick or other paid leave period of any officer or employee of the County shall not be charged as vacation, sick or other paid leave.

### **3. HOLIDAY - WHEN WORK IS REQUIRED**

3.1 Eligible non-exempt County employees required to work on an observed holiday will receive eight (8) hours of holiday pay (8.5 hours if 12 hour shift employee) plus compensation hour-for-hour for all hours worked on the holiday.

3.2 Exempt employees who are required by their department head or manager to work on a County holiday will receive their regular day's pay and will be given 8 hours holiday time off (8.5 hours if a 12 hour shift employee) to be used upon employee's request and with supervisory approval.

### **4. ANNUAL LEAVE**

4.1 Annual leave may be requested for any purpose, at the discretion of the employee.

4.1.1 Annual leave shall be taken only with prior approval of employee's Supervisor or Department Head, unless an emergency prevents this from happening.

4.1.2 If annual leave has already been approved and another event such as inclement weather or state of emergency closes business operations, the employee must still use previously approved annual leave.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

### **5. ANNUAL LEAVE - INITIAL APPOINTMENT PROBATIONARY EMPLOYEES**

- 5.1 Employees serving a probationary period following initial appointment may accumulate annual leave but shall not be permitted to take annual leave during the probationary period unless the denial of such leave will create an unusual hardship. Annual leave may be taken during this period only with the prior approval of the Department Head. Law enforcement officers shall be allowed to take accumulated annual leave after six (6) months of service.

### **6. ANNUAL LEAVE - MANNER OF ACCUMULATION**

- 6.1 All full time general employees working the basic workweek shall earn annual leave at the following rates:

Years of Aggregate Service	Hours Earned per Month	Hours Earned per Year	Days Earned Per Year
0 – 4	8	96	12
5 – 9	10	120	15
10 – 14	12	144	18
15 plus	14	168	21

- 6.2 Employees who work 12 hour shifts receive 8.5 hours per month (or 10.5/12.5/14.5 depending upon years of service).
- 6.3 The County will accept previous years of service from other state or local governmental entities in N.C. to determine the rate at which annual leave will be earned. Previous service must be with an entity recognized by the North Carolina Retirement System and still be active (not withdrawn).
- 6.4 An employee may donate a given amount of accumulated annual leave to an employee in need of additional annual leave. The employee donating annual leave must have a minimum balance of 160 hours of combined annual and sick leave after their donated amount is subtracted. Upon separation, however, there is no limit on the donation amount.

### **7. ANNUAL LEAVE - MAXIMUM ACCUMULATION**

- 7.1 Annual Leave may be accumulated without any applicable maximum through the last pay period of the calendar year. Any employee with more than 240 hours of accumulated leave at the end of the first pay period of January of the following year shall have the excess accumulation transferred to sick leave.
- 7.2 Employees are cautioned not to retain excess accumulation of annual leave until late in the calendar year; due to the necessity to keep all County functions in operation, large numbers of employees cannot be granted annual leave at any one time. If an employee has excess leave accumulation during the latter part of the year and is unable to take such leave because of

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

staffing demands, the employee shall receive no special consideration either in having annual leave scheduled or in receiving an exception to the maximum accumulation.

### **8. ANNUAL LEAVE - MANNER OF TAKING LEAVE**

8.1 Annual Leave may be taken as earned subject to the approval of the Department Head.

### **9. ANNUAL LEAVE - PREVIOUS LEAVE CREDIT**

9.1 Annual Leave credit accumulated by each employee as of the adoption of this personnel administration policy shall be retained as of the effective date of this policy.

### **10. ANNUAL LEAVE – FINAL PAY**

10.1 Upon separation, an employee shall be paid for the annual leave balance to the date of separation.

### **11. ANNUAL LEAVE - PAYMENT FOR ACCUMULATED ANNUAL LEAVE UPON DEATH OF EMPLOYEE**

11.1 The estate of an employee who dies while employed by the County shall be entitled to payment for all of the balance of annual leave credited to the employee's account.

### **12. SICK LEAVE**

12.1 Sick Leave with pay is not a right which an employee may demand but a privilege granted by the Board of Commissioners. Sick leave is not paid to the employee upon separation.

### **13. SICK LEAVE - MANNER OF TAKING LEAVE**

13.1 Sick Leave shall be granted to an employee absent from work for any of the following reasons: the employee's sickness, bodily injury, quarantine, required physical or dental examinations or treatment.

13.2 Sick leave may also be used to care for a member of your immediate family.

13.3 Sick leave may also be used as defined under the Family and Medical Leave Policy Section #19.

13.4 Sick leave may be used for death in the employee's immediate family but may not exceed five (5) days for one occurrence. Extenuating circumstances requiring additional leave may be authorized by the County Manager.

13.4.1 Immediate family shall be deemed to include spouse, mother, father, guardian, children, sister, brother, grandparents, grandchildren, plus various combinations of half, step, in-law, and adopted relationships that can be derived from those named.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

- 13.5 Sick leave may also be used for inclement weather/state of emergency situations provided the employee has exhausted petty leave, compensatory time and annual leave.
- 13.6 Notification of the desire to take sick leave should be submitted to the employee's Supervisor prior to the leave, if possible (such as for medical appointments). An employee, without prior approval for sick leave, must notify their Supervisor or Department Head immediately or prior to beginning of the work schedule. Failure to do so will result in this time being charged to Leave Without Pay and can result in disciplinary action pursuant to Section II, Policy 250 of this manual.

### **14. SICK LEAVE - MANNER OF ACCUMULATION**

- 14.1 Each full-time and probationary employee working the basic workweek shall be granted sick leave computed at the following rate:

<u>Hours Earned Each Month</u>	<u>Hours Earned Each Year</u>	<u>Days Earned Each Year</u>
8	96	12

- 14.2 Employees who work 12 hour shifts receive 8.5 hours per month.

### **15. SICK LEAVE - PHYSICIAN'S CERTIFICATE**

- 15.1 The employee's Supervisor or Department Head may require (for each occurrence) a statement from the physician, confirming that the employee was unable to report for work and/or the employee's capacity to resume duties in an effort to minimize abuse of sick leave privileges.
- 15.2 On any occasion when an employee is on sick leave for three (3) or more consecutive days, a physician's statement may be required. This would apply to sick leave taken for an immediate family member as well. The physician's statement will be filed in the appropriate employee's personnel file upon expiration of an authorized leave based on federal privacy laws.

### **16. SICK LEAVE - RETIREMENT CREDIT FOR ACCUMULATED SICK LEAVE**

- 16.1 Sick leave may be used as service credit when an employee retires from active service in accordance with the North Carolina Retirement System.
- 16.2 One (1) month of retirement credit is allowed for each twenty (20) days of an employee's sick leave accrued at time of retirement to employees who are members of the North Carolina Local Governmental Employee's Retirement System, pursuant to rules governing NCLGERS at that time.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

### **17. SICK LEAVE - PREVIOUS LEAVE CREDITS**

- 17.1 Sick Leave credits accumulated by each County employee shall be retained as of the effective date of this policy.
- 17.2 The County recognizes the vested interest an employee has in accumulated sick leave. Therefore, a new employee whose last employer was a state or local governmental entity in NC will be allowed to transfer such sick leave as may have been accumulated during previous employment to be credited to his/her account. A written verification from the previous employer is required before the sick leave hours can be credited and must be received by Brunswick County within 6 months of employee's date of hire.

### **18. SHARED LEAVE – LEAVE DONATIONS**

- 18.1 The County realizes that in extreme circumstances, employees may be in a situation where a prolonged medical condition has caused an employee to exhaust all available leave and therefore placed on leave-without-pay. It is recognized that such employees forced to go on leave-without-pay could be without income at the most critical point in their work life. It is also recognized that fellow employees may wish to voluntarily donate some of their annual or sick leave balance so as to provide assistance to a fellow county employee. This policy provides an opportunity for employees to assist another employee affected by a medical condition that requires absence from duty for a prolonged period of time, resulting in possible loss of income due to lack of accumulated leave.
  - 18.1.1 An employee applies for donated leave by completing a Request for Shared Leave Form and submitting it to his/her Department Director. Human Resources will make recommendation to the County Manager for final approval.
  - 18.1.2 The Department Director forwards the request to Human Resources for eligibility determination. To qualify for consideration of receipt of donated leave, the employee must:
    - (a) have been continuously employed at least twelve (12) months in a regular position with the County;
    - (b) must have completed probationary period;
    - (c) must be in a benefit eligible position;
    - (d) must have exhausted all available options such as the use of all available sick leave, comp time, petty leave and all available annual leave.
    - (e) must be absent from work for 20 consecutive calendar days .
  - 18.1.3 In cases of a prolonged medical condition an employee may apply for shared leave.

## BRUNSWICK COUNTY PERSONNEL MANUAL

- 18.1.4 For the purpose of this policy a prolonged medical condition can be one of the employee or their spouse, parents, children, or immediate family members that is likely to require an employee's absence from duty for a prolonged period.
- 18.1.5 An employee may not file a grievance nor may an employee appeal if their request to receive donated leave is denied.
- 18.1.6 A notice from Human Resources will be distributed via the Brunswick County intranet with the purpose of notifying all employees of an employee's need of leave. In many instances, an employee donating leave would like to know who leave is being granted to. However, unless specified by a signed waiver, the name of the employee requesting Shared Leave will be kept in strictest confidence.
- 18.1.7 Employees donating leave time must have a minimum balance of one hundred sixty (160) hours of combined (annual and sick) leave after their donated amount is subtracted. Donors shall go to Human Resources and complete the appropriate form designating the number of hours being donated and if known, to whom it is being donated. The employee must sign the form to authorize the transfer. Human Resources will process all donations. The minimum amount of leave that may be donated is four (4) hours. Employees may only donate sick leave and annual leave time.
- 18.1.8 A donor may not donate leave during a resignation notice period.
- 18.1.9 The employee receiving shared leave will be given information on the amount of time donated, but will not receive information such as the names of donating employees. Leave time will be donated to the employee anonymously.
- 18.1.10 The maximum amount of leave that may be transferred from donors to an employee shall be 480 hours per Shared Leave request. The number of Shared Leave Requests shall be limited to one (1) request in a rolling 12 month period.
- 18.1.11 Annual leave donated by employees will be converted to sick leave.
- 18.1.12 Before the employee is eligible to use any donated sick leave, any negative balance must be satisfied in full. The employee may then use the balance of donated sick leave as needed to create a full pay check.
- 18.1.13 Employees on Worker's Compensation are not eligible to receive shared leave.
- 18.1.14 Donation of leave must be done strictly on a voluntary basis. An employee may not intimidate, threaten, coerce, or attempt to intimidate, threaten, coerce any other employee for the purpose of interfering with any right which such employee may have with respect to donating, receiving, or using leave under this policy. Such action shall be grounds for disciplinary action to and include dismissal on the basis of personal conduct.

## BRUNSWICK COUNTY PERSONNEL MANUAL

### 19. THE FAMILY AND MEDICAL LEAVE ACT

19.1 It shall be the policy of Brunswick County to comply with the intent and provisions of The Family and Medical Leave Act (FMLA) of 1993. A copy of the law and related rules and regulations are available in the Human Resources Office. FMLA information is available under the Human Resources tab on the intranet as well as on the Department of Labor website (<http://www.dol.gov/whd/fmla>). A brief overview of the FMLA is as follows:

19.1.1 Brunswick County will grant, for any one of three reasons, up to twelve weeks of unpaid leave per 12 month period to eligible employees. A leave request may be based on (1) an employee's medical condition; (2) the birth or adoption of a child to an employee parent; (3) an employee's need to care for an 'immediate family member' who has a serious health condition and (4) any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on "covered active duty;" **or**

Twenty-six workweeks of leave during a single 12-month period to care for a covered service member with a serious injury or illness if the eligible employee is the service member's spouse, son, daughter, parent, or next of kin (military caregiver leave).

Brunswick County also recognizes employee's siblings and grandparents as 'immediate family members'.

For any other situations, please contact your Department Head. Decisions will be made by the Department Head in consultation with Human Resources.

19.2 An eligible employee is any employee who has been employed by Brunswick County for at least twelve months and who has worked at least 1,250 hours during the twelve month period immediately preceding the commencement of the leave.

19.3 A serious health condition is an illness, injury, impairment or physical or mental condition that involves:

- a) Any period of incapacity or treatment connected with inpatient care (overnight stay) in a hospital, hospice or residential medical facility;
- b) Any period of incapacity requiring the absence of more than three calendar days from work and that also involves continual treatment by (or under the supervision of) a health care provider or;
- c) Continuing treatment by (or under the supervision of) a health care provider for a chronic or long-term health condition that is incurable or so serious that if not treated, would likely result in a period of incapacity of more than three calendar days and for prenatal care. The regulations provide very specific definitions of "continuing treatment."

19.4 Spouses who are both County employees and eligible for FMLA leave are limited to a combined total of 12 workweeks of FMLA during the applicable 12-month period for the



## BRUNSWICK COUNTY PERSONNEL MANUAL

birth or placement of a child for adoption or foster care, the care of the child after birth or placement, or for the care of a parent with a serious health condition. Any period of disability before or after the birth of a child would not be subject to the combined limit.

- 19.5 Employees may retain coverage under the County's group health and dental insurance plans for the duration of FMLA leave. The County will continue to pay the employer portion of these insurance premiums. Employees using paid FMLA leave will continue to have their portion of the insurance premiums payroll deducted. Employees using unpaid FMLA leave are responsible for payment of the employee portion of the insurance premiums.
- 19.6 Continuation of employee financed voluntary insurance benefits shall be pursuant to agreements between the employee and the respective benefit provider(s).
- 19.7 Annual and sick leave accruals and retirement service credit will continue during any period of paid leave. However, no leave or retirement service credit will accrue during a period of leave without pay.
- 19.8 Employee has the right to return either to the position they left when the leave began, or to an equivalent position with the same benefits, pay and other terms and conditions of employment.
- 19.9 Employee must give 30 days advance notice of need to take FMLA leave when it is foreseeable for the birth or placement of a child for adoption or foster care, or for planned medical treatment. When it is not practicable under the circumstances to provide such advance notice, e.g., premature birth, such notice must be given "as soon as practicable," ordinarily within one or two business days of when you learn of the need to take leave. Verbal notice, sufficient to inform your supervisor, Department Head and Human Resources that you will need FMLA leave, satisfies the FMLA notice requirement.
- 19.10 For leave related to serious health conditions or child birth, the employee is required to provide medical certification(s) from the employee's or family member's qualified health care provider.
- 19.11 For some job classifications, the County may require the employee to obtain a fitness-for-duty certification, at the employee's expense. If an employee fails to provide such certification, reinstatement will be delayed until the employee complies. If the certification is not submitted within fifteen (15) calendar days of the request where practicable, reinstatement may be denied. The County reserves the right to require another medical opinion, for example, if there is a suspected safety concern.
- 19.12 Human Resources shall review, investigate and resolve suspected cases of bad faith, fraud or abuse of the FMLA leave program. Abuses of the FMLA leave program may result in, but are not limited to, revocation of the leave, refusal to restore the employee to his/her job; recovery of County costs for paid leave and insurance benefits, and disciplinary action up to and including dismissal.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

- 19.13 For more information on the Family and Medical Leave Act of 1993 or assistance in applying for FMLA leave, please contact the Human Resources Office.

### **20. EXTENDED LEAVE OF ABSENCE (NON-PROTECTED)**

- 20.1 Human Resources will conduct an individual accommodation analysis to determine obligations to an employee on leave. An employee may be granted an extended leave of absence for:
- 20.1.1 Up to six (6) months if they do not have paid leave available
  - 20.1.2 An employee who has paid leave (sick and/or vacation) available may be able to exhaust their leave based on their own serious health condition. Each request will be evaluated on a case by case basis to prevent undue hardship and/or negative impact on departmental operations.
- 20.2 Extended leave must be approved by the Department Head and the County Manager.
- 20.3 Leave without pay, except military leave, cannot occur until after annual leave, compensatory time and sick leave have been exhausted.
- 20.4 An employee ceases to earn leave credits on the date leave without pay begins. The employee may continue benefits under the County's group insurance plans, subject to any regulations adopted by the Board of Commissioners and the regulations of the respective insurance carriers or other applicable laws. If employee chooses to remain active in the County's insurance plans, the employee shall be responsible for payment of his/her and dependent insurance premiums during the leave without pay period, through COBRA and/or direct billing arrangement with provider(s).
- 20.5 The employee is obligated to return to duty within or at the end of the time determined appropriate by the Department Head and/or the County Manager. Upon returning to duty, after being on leave without pay, the employee may return to the same position held at the time leave was granted, if available, or to one of like classification and pay.
- 20.6 Failure by the employee to report to work at the expiration of the extended leave of absence, unless a written extension has been requested and approved by the Department Head and/or the County Manager, shall be considered a resignation. It is the employee's responsibility to communicate directly with their direct Supervisor, Department Head or Human Resources regarding any return to work status changes.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

### **21. WORKERS' COMPENSATION LEAVE**

- 21.1 Under the North Carolina Workers' Compensation Act (hereinafter referred to in this section as the Act), employees may be compensated for absence from work due to injury or illness covered by the Act.
- 21.2 Under the Act, employees are not compensated for the first seven (7) calendar days of absence, for which they may elect to use vacation, sick or unpaid leave. If the absence continues through twenty one (21) or more calendar days, employees receive retroactive workers' compensation benefits for the first seven (7) calendar days. Thereafter, they will receive benefits for which they may be adjudged eligible under the Act.
- 21.3 Employees who are absent due to occupation illness or injury for more than 7 days will be placed on leave without pay workers' compensation status. If the employee is eligible to receive benefits from the worker's compensation insurance carrier for lost time, he or she may not receive any other paid leave. No additional compensation will be paid from the insurance carrier for time away from work when the employee uses paid leave.
- 21.4 It is the employee's responsibility to notify his or her supervisor of an on-the-job injury as soon as it occurs.
- 21.5 Employees requiring medical attention are required to have a County medical service provider direct care. For a complete listing of County medical service providers, see Brunswick County's intranet site under the Risk Management tab. Medical services and other claims are subject to approval by the insurance carrier.
- 21.6 It is the responsibility of the Department Head or Designated Safety Coordinator within the department to review the accident with Risk Management, investigate the location of the accident to determine if safety hazards exist and submit the necessary reporting documents. All documentation may be found on the County's intranet site under the Administration/ Risk Management tab.
- 21.7 Any period of leave without pay for a workers' compensation disability that qualifies as a "serious health condition" under the Family and Medical Leave Act (FMLA), will run concurrently with FMLA leave.
- 21.8 The County will require employees to come back to light/restricted duty depending on medical guidance, department workload, availability to accommodate restrictions, skill requirements and impact on other employees. The Department Head in consultation with Risk Management will make the determination.
- 21.9 Temporary employees and general employees with no sick, vacation or compensatory leave credits will be placed in a leave without pay status and will receive all benefits for which they may be adjudged eligible under the Workers' Compensation Act and may continue to be eligible for employer-paid benefits under the County's group insurance plans.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

- 21.10 If an employee is absent on a leave for any amount of time, the employee may be subject to drug and/or alcohol testing.
- 21.11 Upon return to full duty, an employee's salary will be computed on the basis of the last salary earned plus any increment or salary increase to which the employee would have been entitled during the disability covered by workers' compensation.
- 21.12 The employee will not accrue vacation leave, sick leave and retirement credits while on leave, however, retirement credits may be purchased in accordance with the regulations of the NCLGERS.
- 21.13 Reimbursement claims for prescription drugs and *some* travel associated with the illness or emergency may be submitted by the employee. The employee may obtain the appropriate reporting forms from the Risk Manager, Department Head or the Risk Management intranet site.
- 21.14 For additional information regarding your rights and responsibilities under the Workers' Compensation Act, please refer the North Carolina Industrial Commission website at <http://www.ic.nc.gov/claimants.html>.

### **22. MILITARY LEAVE**

- 22.1 General employees who are members of the National Guard or Armed Forces Reserve will be allowed fifteen (15) days of military training leave annually. If the employee's military pay is less than the employee's regular pay, the county will pay the difference, provided the employee provides proof of compensation from the respective military branch. Otherwise, this leave is without pay. Employees may elect to use annual leave to cover part or all of the military leave in lieu of receiving the difference in pay.
- 22.2 If military duty is required beyond this fifteen (15) day period, the employee will be eligible to take accumulated annual leave or be placed in a leave without pay status.
- 22.3 General employees who are guardsmen and reservists have all job rights specified under federal guidelines/legislation (USERRA).

### **23. JURY AND WITNESS DUTY**

- 23.1 A County employee called for jury duty or as a court witness on behalf of Brunswick County, for the Federal or State Government or a subdivision thereof, must give seven (7) days prior notice to the Department Head whenever possible. Employee must provide proof of service (summons to appear) to Department Head. These employees shall receive pay for such duty during the required absence without charge to accumulated vacation, sick or petty leave.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

- 23.2 An employee may keep fees and travel allowances received for jury duty in addition to regular compensation.
- 23.3 While on jury duty, benefits and leave shall accrue as though on regular duty. The employee shall return to work upon completion of jury duty or court witness service. This includes when service is for less than full day.

### **24. PETTY LEAVE**

- 24.1 An employee of the County shall be allowed fourteen (14) hours per year petty leave with pay over and above sick leave or annual leave with pay. An employee shall take petty leave in increments of fifteen (15) minutes with the permission of the Department Head. Petty leave will be in addition to any other leave which a County employee may earn and accumulate, but it shall not accumulate beyond the end of a calendar year.
- 24.2 Petty leave may be granted for personal matters which cannot be transacted outside of office hours, time lost reporting to work, medical appointments and absences due to adverse weather conditions.

### **25. INCLEMENT WEATHER/NON-EMERGENT CLOSURE AND STATE OF EMERGENCY**

#### **25.1 Definitions**

25.1.1 *Inclement Weather* – a weather event (snow, ice, etc.) or other non-emergent event which may result in hazardous conditions. This may result in closure of County offices by the County Manager. In the event that County offices are open for business, employee may use discretionary judgment if they feel that their safety is at risk.

25.1.2 *State of Emergency* (aka County Disaster) – a serious event (i.e. hurricane) that results in extremely hazardous conditions and safety risk. Under these conditions, the Chairman of the Board of Commissioners closes County offices; this closure will have a specified start and end time.

#### **25.2 Pay Parameters**

25.2.1 County Management will allow additional hours of Petty Leave for discretionary use during inclement weather/state of emergency events. The additional hours of Petty Leave will be credited at the time of the inclement weather/non-emergency closure or state of emergency event.

25.2.2 During inclement weather, County offices may be open for business. As such, all employees are expected to report for their scheduled shift. Due to discretionary judgment, an employee who does not work their scheduled

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

hours must use 'leave' in order to be paid for the hours not worked. Leave usage will be utilized in the following order:

- petty leave
- comp time may be used if petty leave exhausted
- annual leave may be used if petty leave and comp time exhausted
- sick leave may be used if petty leave, comp time and annual leave have been exhausted
- if no leave available, employee must take leave without pay

25.2.3 When County offices are closed (due to state of emergency as defined in 25.1.2), only *essential* personnel, as defined by the Department Head, may work. During the state of emergency, premium pay will be paid for all hours worked during the time the County is closed for business.

25.2.3.2 Non-exempt personnel will be compensated at 1.5 times regular rate for all hours worked during closure.

25.2.3.3 Exempt personnel will be compensated at 1.0 times regular rate for all hours worked during closure.

### **26. EDUCATION LEAVE WITH PAY**

26.1 A leave of absence at full or partial pay during regular working hours may be granted to an employee to take one (1) course of a minimum of three (3) quarter or semester hours which will better equip the employee to perform assigned duties. Education leave may be granted upon recommendation of the Department Head, and with the written approval of the County Manager.

26.2 Educational leave at full or partial pay for a combined period not to exceed twelve (12) months may be granted to an employee upon the recommendation of the Department Head with approval of the County Manager and the Board of Commissioners.

### **27. CHILDREN'S SCHOOL ACTIVITY LEAVE**

27.1 An employee may use four hours per year of unpaid leave to attend their child's school activities. Approval must be obtained in advance from the Department Head.

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION IV EMPLOYEE BENEFITS

### Policy #405 Longevity

**PURPOSE:** Brunswick County recognizes the benefit of long term service to Brunswick County from employees and establishes this policy to reward these employees.

**SCOPE:** This policy applies to employees who are eligible for benefits. Longevity benefits will be effective on the employee's anniversary date. All persons presently receiving longevity payments not in accordance with this policy shall not be penalized.

#### **POLICY AND PROCEDURE:**

##### 1. LONGEVITY

- 1.1 Provisions of this policy shall be effective with the employee's anniversary date occurring on or after July 1, 1996.
- 1.2 In addition to regular salary payments, a longevity payment will be made annually in recognition of general employee service for a period of five (5) years or more.

##### 2. COMPUTATION OF LONGEVITY PAYMENT

- 2.1 The amount of longevity pay shall be based upon the length of continuous and non-continuous service with Brunswick County and previous years of full-time service from other state or local governmental entities in N.C.
- 2.2 The amount of longevity pay shall be computed by multiplying the base annual salary by a factor from the table in 2.3 below.
  - 2.2.1 Salary increases effective on the date of eligibility for longevity pay will be incorporated into the base annual salary prior to the computation for longevity payments.

##### 2.3 SCHEDULE

<u>YEARS OF AGGREGATE SERVICE</u>	<u>LONGEVITY PAY RATE</u>
5 but less than 10	1.00%
10 but less than 15	1.50%
15 but less than 20	2.25%
20 but less than 25	3.25%
25 years or more	4.50%

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION IV EMPLOYEE BENEFITS

### Policy #430 Group Health Insurance (*REVISED 10/04/2010*)

#### *Purpose and Applicability*

The County enhances employees' total compensation by adding other benefits of value so that the County can attract and retain qualified employees to provide County services. Employees who hold eligible budgeted positions as full time general or part time general employees regularly working 30 hours or more per week, including full time employees appointed by the Board of County Commissioners and elected officials may be provided, as described herein, group medical and dental insurance benefits. The County may provide this health insurance benefit to its eligible employees, employees' dependents and retirees as determined by the County Manager and approved by the Board of County Commissioners on a fiscal yearly basis.

#### *Health Insurance Benefits Policy*

The County Commissioners will approve for each fiscal calendar year, the medical and dental insurance plan provisions and premiums. Based on this decision, the County may pay all or a portion of the medical premiums for all eligible employees as described above. These employees may elect to cover their eligible dependents and are responsible for the additional cost for all dependent coverage. The County insurance plan provisions and policy are subject to change based on regulation, economics and / or for health promotion and disease prevention.

#### *Enrollment and Effective Date*

Employees shall be enrolled in the programs in accordance with the provisions of the insurance contracts. Eligible employees are first eligible for enrollment in the insurance programs as a newly hired employee. They are offered coverage and must enroll or waive coverage at that time. Coverage takes effect in accordance with the dates established annually. This is generally the first day of the month following the employee's 30th day of employment, not to exceed 60 days. Eligible employees are given the opportunity annually during open enrollment for the new fiscal plan year to make changes regarding their medical plans.

Employees leaving Brunswick County employment may remain under the group coverage for up to 18 months through the COBRA program and regulations. The employee is fully responsible for paying all COBRA premiums.

Employees retiring from Brunswick County will need to contact the Human Resources Department.



# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION IV EMPLOYEE BENEFITS

### Policy #440 Employee Assistance Programs

**PURPOSE:** Brunswick County recognizes that problems such as alcoholism, drug abuse and mental health disorders are harmful to employees, his/her families, and his/her job performance. Brunswick County takes a proactive approach to these situations, preferring to help an employee solve his/her problems rather than relying on disciplinary measures alone.

**SCOPE:** This policy applies to all employees. It includes the responsibilities, scope and limitations of employee assistance programs and explains how they are to be administered.

#### **POLICY AND PROCEDURE:**

##### **1. ADMINISTRATION OF EMPLOYEE ASSISTANCE PROGRAMS**

1.1 Through the Human Resources Department, the County has established a program for employees having mental health or substance abuse problems.

##### **2. CATEGORIES OF SUBSTANCE ABUSE AND MENTAL HEALTH PROBLEMS**

2.1 Alcoholism and drug dependence are substance abuse diseases in which compulsive consumption regularly interferes with personal health and job performance.

2.2 Mental health problems are considered medical conditions that interfere with job performance.

##### **3. TREATMENT OF SUBSTANCE ABUSE AND MENTAL HEALTH PROBLEMS**

3.1 Brunswick County encourages any employee who believes that he/she may be addicted to seek early diagnosis and treatment through qualified professionals.

3.2 Brunswick County encourages employees who believe they may have a mental health problem to seek early diagnosis and treatment through qualified professionals.

3.3 Brunswick County's goal is to restore the employee to a high level of job performance.

3.4 Any employee's request for assistance under this policy will not, thereby solely jeopardize job security or promotional opportunities.

3.5 Any employee who requests treatment or who is diagnosed as being alcohol or drug dependent, or as having a mental health problem, will be given the same consideration and offer of treatment that is given to any employee who has a medical problem.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

- 3.6 Alcoholism, drug dependence, and mental health problems will not be diagnosed by County employees. Supervisors and Department Heads will only note performance problems, and may recommend employees contact the Human Resources Department for assistance.
- 3.7 Employees who refuse to accept referral for diagnosis and treatment will be treated like any other employee who has a performance problem.
- 3.8 Employees who accept diagnosis and treatment are expected to maintain existing job performance standards; he/she will be given no special privileges.
- 3.9 Information concerning an employee's diagnosis, referral, treatment and medical records will be kept strictly confidential.

### **4. SUPERVISOR'S RESPONSIBILITIES**

- 4.1 When a Department Head recognizes that an employee's job performance has deteriorated, he/she should provide initial discussion in which:
  - 4.1.1 The performance problem is clearly and objectively described to the employee;
  - 4.1.2 The employee is given the opportunity to present his/her explanation or point of view;
  - 4.1.3 The procedures and consequences of continued poor performance or worsening performance are explained to the employee.
- 4.2 The Supervisor should follow up the initial discussion by:
  - 4.2.1 Continuing to monitor performance;
  - 4.2.2 Scheduling additional discussions if necessary;
  - 4.2.3 Maintaining records and following County policy on corrective action if performance is unsatisfactory or continues to deteriorate.

### **5. EMPLOYEE'S RESPONSIBILITIES**

- 5.1 Employees enrolled in substance abuse or mental health programs should:
  - 5.1.1 Recognize deteriorating job performance and commit to improvement;
  - 5.1.2 Keep all appointments necessary to receive appropriate treatment;
  - 5.1.3 Act to correct the cause of poor job performance.

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION IV EMPLOYEE BENEFITS

### Policy #465 Service Recognition (*Revised 2/21/11*)

**PURPOSE:** The success of Brunswick County government in providing services to meet the needs of the people in the County is dependent on the efforts of Brunswick County employees. To express its appreciation to its valued employees, Brunswick County has adopted a policy of recognizing continued dedicated service. Such recognition adds to employee morale and commitment to the County.

**SCOPE:** All general employees, eligible for other county benefits and who have continuous extended service with Brunswick County may be recognized for their continued dedication in support of the County.

#### **POLICY AND PROCEDURE:**

##### **1. ELIGIBILITY FOR SERVICE AWARD**

1.1 All general employees who are eligible for other County benefits and who have continuous extended service with Brunswick County may be recognized for their service.

##### **2. TIMING OF SERVICE AWARDS**

2.1 Service recognition may be given to individuals at every five (5) year increment until retirement (i.e. 5, 10, 15, 20, 25, 30, 35...) for continuous employment with Brunswick County. This recognition may occur on an annual basis.

##### **3. RECOGNITION**

3.1 The type of recognition provided to employees for each of the service intervals may be approved by the County Manager and / or County Commissioners as required.

3.2 If required, employees may have to pay taxes in accordance to IRS guidelines.

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION IV EMPLOYEE BENEFITS

### Policy #472 Wellness Program (*Revised 9/8/2015*)

**PURPOSE:** Brunswick County recognizes that County sponsored programs designed to increase health-related knowledge and self-awareness contribute to the reduction of employee medical costs, absenteeism and stress, and help promote higher morale, good employee relations and personal attachment to the organization. Brunswick County supports the implementation of effective wellness programs, both on and off County premises, and the active involvement of employees in such programs.

**SCOPE:** This policy applies to all employees. It provides guidelines regarding responsibilities, methods for assessing needs and program results, and examples of wellness programs and activities that may be used by employees at all levels of the organization.

#### **POLICY AND PROCEDURE:**

##### **1. RESPONSIBILITY**

- 1.1 All employees are encouraged to become long-term participants of the County's wellness programs.
- 1.2 The County may assemble a Wellness Advisory Committee to promote Wellness initiatives.

##### **2. ASSESSMENT OF NEEDS**

- 2.1 The County promotes effective wellness programs that meet the needs of the maximum number of committed employees.
- 2.2 Periodically, the County will survey employees to determine which programs they choose to participate in and what programs should be continued.
- 2.3 A health risk assessment of employees may be provided by the County.
- 2.4 Assessments may be conducted to determine the effectiveness of programs on medical insurance, absenteeism and morale.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

### **3. EDUCATION PROGRAMS**

- 3.1 The County may provide wellness education programs (e.g., nutrition and weight loss classes, cardiovascular awareness programs, smoking cessation, breast self-examination programs, back care programs, cardiopulmonary resuscitation programs, Heimlich maneuver instruction programs) to employees.
- 3.2 Non-traditional educational programs, such as health fairs, may be provided by the County.

### **4. MENTAL WELLNESS PROGRAMS**

- 4.1 The County supports mental wellness programs through the Employee Assistance Program (EAP). This program offers support, guidance and resources to assist in resolving personal issues and meeting life's challenges.

### **5. EXERCISE PROGRAMS**

- 5.1 The County supports wellness exercise programs to help employees attain and maintain physical fitness.
- 5.2 The County may offer employee exercise programs (i.e. walking, jogging, aerobics, cardio-fitness, weight lifting and swimming programs).

### **6 OTHER ACTIVITIES**

- 6.1 From time to time, the County may offer immunization programs to employees and their immediate families.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

### **SECTION V PERSONNEL STANDARDS**

#### **Policy #510 Personal Appearance**

**PURPOSE:** Brunswick County recognizes that to provide orderly service to the public, employees must portray a professional appearance relative to the standard of each job.

**SCOPE:** This policy applies to all employees.

#### ***POLICY AND PROCEDURE:***

##### **1. PERSONAL APPEARANCE GUIDELINES**

1.1 Employee's attire and appearance is expected to be:

1.1.1 Clean

1.1.2 Neat and pressed in appearance

1.1.3 Appropriate to the standard of each job

1.2 Employees who work in departments that provide uniforms are required to wear said uniform during normal working hours.

##### **2. EXCEPTIONS**

2.1 The County Manager can approve exceptions to this policy.

##### **3. PERSONAL APPEARANCE AND SAFETY**

3.1 There may be special dress and grooming codes when the safety of employees is at risk. Employees will be made aware of such provisions by the County Safety Committee/Officer, or by their Department Head.

##### **4. DISCIPLINARY PROCEDURES**

4.1 Employees will not be compensated for the time away from work needed to correct their attire or grooming. He/She will be placed in a leave without pay status.

4.2 Department Heads will follow the policy on disciplinary action in dealing with violations of this policy.

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION V PERSONNEL STANDARDS

### Policy #520 Appearance of Work Area

**PURPOSE:** Brunswick County recognizes the need for employees to keep work areas neat in appearance in order to provide a fair and orderly view to the public and fellow employees and therefore producing a safe environment for performance of duties.

**SCOPE:** This policy applies to all employees.

#### **POLICY AND PROCEDURES:**

##### 1. RESPONSIBILITIES

- 1.1 Each employee shall be responsible for the appearance of his/her work area.
- 1.2 Department Heads shall be responsible for the appearance of the work areas under his/her jurisdiction.
- 1.3 Department Heads are expected to communicate this policy to all of his/her employees, post materials as required, and ensure that appropriate memorandums reach all employees.

##### 2. RULES AND REGULATIONS

- 2.1 Work stations and desks should be kept uncluttered and tidy.
- 2.2 Personal items of value should not be placed in public view. Employees are wholly and solely responsible for the safety and security of personal valuables. Brunswick County shall not be responsible for theft of personal valuables.
- 2.3 Work areas, including desks, should be put in order at the end of each workday or shift to allow easy access and cleaning by maintenance personnel.

##### 3. CORRECTIVE ACTION

- 3.1 The Department Head with regard to an employee who violates this policy should follow the procedures presented in Section II, Policy # 250 of this manual. In most cases, the initial emphasis of corrective action should be on communicating this policy, providing whatever coaching or counseling may be needed, and monitoring future compliance. If the behavior cannot be corrected by these methods, official warnings and termination may result.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

### **SECTION V PERSONNEL STANDARDS**

#### **Policy #525 Destruction of County Property And/Or Equipment**

**PURPOSE:** Brunswick County needs to protect itself from an employee who may cause a financial loss by damaging property or equipment through malicious behavior, or by violating County rules or policies. Therefore, the County has developed a system for restitution to help recover losses resulting from malicious employee behavior.

**SCOPE:** This policy presents the County's procedures for restitution, including how it is administered, who it affects, what penalties are to be included, and how they are to be determined and appealed.

#### **POLICY AND PROCEDURES:**

##### **1. EMPLOYEE RESPONSIBILITIES**

1.1 Each new employee will be asked to sign a document indicating that he or she is responsible for any assigned County property or equipment and is aware that disciplinary action including restitution may result from malicious use or misuse.

##### **2. ASSESSING RESTITUTION**

2.1 Restitution will be recommended by the employee's Supervisor, reviewed by the Department Head and approved by the County Manager.

2.2 Financial restitution may be applied in circumstances where it is evident an employee's malicious actions caused a quantifiable financial loss to the County.

##### **3. LIMITS TO AMOUNTS OF RESTITUTION AND RECOVERY**

3.1 A restitution may not exceed the actual amount of repair or replacement cost loss to the County.

3.2 The maximum amount that may be deducted from an employee's paycheck for restitution may not exceed 10% of the employee's bi-weekly gross pay, until full restitution is paid.

##### **4. ADDITIONAL DISCIPLINARY PROCEDURES**

4.1 The issuance of a fine or reimbursement in no way precludes the Supervisor/Department Head of beginning the process of progressive discipline as presented in Section II, Policy #250 of this manual.



# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION V PERSONNEL STANDARDS

### Policy #530 Safety

**PURPOSE:** Brunswick County employees have a right to work in safe surroundings. Brunswick County is strongly committed to providing a safe workplace.

**SCOPE:** This policy presents the County's commitment to safety, as well as a description of safety programs and procedures. It includes supervisor and employee responsibilities, accident reporting procedures, safety training, inspections, use of protective equipment and penalties for violations of safety rules.

#### **POLICY AND PROCEDURE:**

##### **1. ORGANIZATION COMMITMENT TO SAFETY**

- 1.1 The County is committed to maintaining a safe and healthful environment for its employees, and will take the following actions to ensure that this commitment is carried out:
  - 1.1.1 Monitor County activities to identify safety and health risks.
  - 1.1.2 Take whatever steps are necessary to minimize risks that are discovered.
  - 1.1.3 Communicate County policy and programs to all employees and relevant government agencies.
  - 1.1.4 Encourage employee awareness of safety and health risks, and encourage employees to report any violations of policy or new risks that he/she may observe.
  - 1.1.5 Plan new procedures or facilities with safety as a primary goal.
  - 1.1.6 Comply with all ADA and all state and federal requirements.
  - 1.1.7 Provide to employees and visitors any health or safety equipment that is needed to minimize risk and/or satisfy government requirements. If damaged or excessively worn, such equipment will be promptly replaced. No employee may work without wearing designated safety equipment.
  - 1.1.8 Not discriminate against or discharge any employee for initiating proceedings against the County, testifying before any government agency, or exercising any right provided by any government agency relating to our health and safety practices.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

1.1.9 Fully inform all new or prospective employees of any health hazards related to his/her job or to working on County premises.

### **2. RESPONSIBILITIES OF THE COUNTY SAFETY COMMITTEE/ SAFETY OFFICER**

2.1 The County Safety Committee / Officer is appointed by the County Manager and is responsible for the development and maintenance of the organization's safety programs. The Safety Committee / Officer's specific responsibilities include:

2.1.1 Ensuring compliance with all safety-related regulations of federal, state, and local governments.

2.1.2 Conducting regular formal and informal safety inspections of all County work areas to ensure that County policies are being followed and to seek out any new sources of health or safety risk.

2.1.3 Representing the County in relations with government agencies affecting health and/or safety, including on-site inspections. It is the policy of the County to cooperate fully with agencies that monitor compliance with health and safety regulations.

2.1.4 Developing and carrying out training and retraining programs in safety and health practices for all employees, as required, or in excess of the requirements of government agencies.

2.1.5 Keeping records of safety policies, practices and procedures as prescribed by government regulations.

2.1.6 Posting any notices or records that may be of interest to employees or that are required by government agencies.

2.1.7 Receiving and acting on any violations of policy or observations of health or safety risks that may be reported.

2.1.8 Making sure County equipment is in safe working order.

### **3. RESPONSIBILITIES OF SUPERVISORS**

3.1 All personnel who directly supervise one or more employees hold the following health and safety related responsibilities:

3.1.1 General knowledge of health and safety related procedures for all areas under his/her control.

3.1.2 Inspect his/her work areas regularly to monitor compliance with policies.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

- 3.1.3 Train or arrange health and safety training for all employees.
- 3.1.4 Discipline any employee who violates health or safety procedures.
- 3.1.5 Supply Safety Committee / Officer with any information requested.
- 3.1.6 Cooperate with Safety Committee / Officer in communicating and implementing new policies and in preparing for official inspections.
- 3.1.7 Report violations of policy to Safety Committee / Officer.

### **4. RESPONSIBILITIES OF EMPLOYEES**

- 4.1 Each employee of the County holds the following health and safety-related responsibilities:
  - 4.1.1 Follow all County health and safety-related policies and procedures.
  - 4.1.2 Report any violation of policy to the County Committee Safety / Officer.
  - 4.1.3 Work only with tools and equipment that are in proper working order. Report any damaged or malfunctioning equipment immediately to the supervisor.
  - 4.1.4 Always wear proper safety equipment.
  - 4.1.5 Keep work areas clean and neat.
  - 4.1.6 Immediately report any work-related accident, injury or illness to the Safety Committee/ Officer.

### **5. PENALTIES FOR VIOLATION OF SAFETY RULES**

- 5.1 Any employee of the County who violates a health or safety policy will be subject to disciplinary procedures as described in Section II, Policy #250 of this manual.

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION V PERSONNEL STANDARDS

### Policy #540 Garnishments And Liens

**PURPOSE:** A Brunswick County employee may be subject to a legal notice of garnishment from either a federal, state, or local agency, therefore creating a lien on a portion of his/her wages to repay indebtedness. Brunswick County must comply with these legal notices.

**SCOPE:** This policy applies to all employees. It includes procedures to be followed when an employee's wages are garnished.

#### ***POLICY AND PROCEDURE:***

##### **1. GARNISHMENT PROCEDURES**

- 1.1 Employees are expected to handle their finances so that the County is not required by legal agencies to deduct a portion of wages to repay indebtedness.
- 1.2 When the County receives any legal notice of garnishment, the Human Resources Department will comply with the order. If there is any question about the legality of the order, the Human Resources Department will refer the matter to the County Attorney.
- 1.3 The Human Resources Department will not deduct more than the amount allowed by law for any payroll period.
- 1.4 The Finance Department shall be responsible for processing and disseminating payment to the legal agency levying garnishment or lien.

## BRUNSWICK COUNTY PERSONNEL MANUAL

### SECTION V PERSONNEL STANDARDS

#### Policy #543 Employee Payment of County Taxes (*Revised 8/18/2014*)

**PURPOSE:** County employees must be held to a high standard regarding tax payments if the County is to expect on-time payment of its general population. Our taxpayers have every right to expect that employees paid with their tax dollars will be held to such a high standard, and that their tax money will not be wasted for unnecessary County expenses, such as extra collection steps for delinquent County-paid employees.

**SCOPE:** This policy applies to all County-paid employees, and those State employees receiving partial funding from the County.

#### **1. POLICY AND PROCEDURE:**

- 1.1 It shall be the responsibility of County employees to pay all County taxes as they become due. These taxes include property taxes, vehicle taxes, fire fees, and any other “tax” legally authorized by the Brunswick County Board of County Commissioners.
- 1.2 Employees should not depend solely on mail delivery and should periodically check their tax status via the County web site or from the tax office.
- 1.3 Employees with Brunswick County Revenue Collector garnishments are not eligible for any job performance merit increases, promotions or reclassifications, subsequently awarded until the Brunswick County Revenue Collector garnishment is satisfied in full. Notwithstanding any other provisions of this policy, no employee will be paid below the minimum salary of that position.
- 1.4 Failure to pay all taxes and fees resulting in Brunswick County Revenue Collector issued garnishments will result in disciplinary action, up to, and including dismissal.
- 1.5 Additionally, all legal collection remedies afforded the Tax Collector may be used.

#### **2. IMPLEMENTATION:**

- 2.1 Prior to the hire of a new employee, promotion or reclassification of an existing employee, a check for delinquent tax will be made, and no employee will be engaged in employment or receive compensation as a result of promotion or reclassification unless or until all delinquent taxes are satisfied.

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION V PERSONNEL STANDARDS

### Policy #545 General Behavior

**PURPOSE:** Brunswick County will not tolerate employee behavior that is offensive or harmful to the health, safety, or morale of other employees, or to the interests of the County or its customers. In order to avoid such behaviors before occurrence, Brunswick County has developed policies to describe the kinds of behaviors that are unacceptable and the rights and responsibilities of all parties.

**SCOPE:** This policy applies to all employees and presents guidelines that can be used to determine what acceptable and unacceptable behavior is and how such behavior should be dealt. The rules presented in this policy are not intended to be all-inclusive and will be updated as necessary. Situations may occur that require special consideration and management action.

#### **POLICY AND PROCEDURE:**

##### 1. RESPONSIBILITIES

- 1.1 Department Heads shall not ignore violations of work rules and shall take appropriate corrective action as necessary at the time of the violation. Department Heads should never admonish or criticize in public unless safety is involved.
- 1.2 All employees shall conduct themselves in an appropriate manner while dealing with the public. If situations occur which an employee cannot control, the Department Head should be called for assistance.
- 1.3 An employee who does not understand a work rule should speak with his or her Department Head for clarification.

##### 2. MINOR VIOLATIONS OF GENERAL BEHAVIOR POLICY

- 2.1 Minor violations that interfere with effective job performance cannot be tolerated. Such violations may include but are not limited to leaving early, loafing, and leaving the work station for unnecessarily long periods of time.
- 2.2 Minor work violations result in progressive corrective action up to and including dismissal. Refer to Section II, Policy #250 for disciplinary procedures.
- 2.3 The Department Head will keep documentation on minor violations.

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION V PERSONNEL STANDARDS

### Policy #547 Technology Acceptable Use (NEW 2/52018)

**PURPOSE:** Brunswick County recognizes the various types of technology required to support the needs of citizens and County employees. Proper utilization of this resource can enhance partnership, community involvement and the exchange of information and ideas between citizens, businesses and local government. These resources also improve the quality, security, productivity and general cost-effectiveness of the County's workforce while providing information regarding services and activities internally and externally. Each user of a County-provided network access is responsible and accountable thereupon for the proper use of that resource.

**SCOPE:** This policy applies to all employees, contract employees, volunteers who use county provided technology and presents guidelines that can be used to determine appropriate use of technology resources.

#### **POLICY AND PROCEDURE:**

##### **1.0 RESPONSIBILITIES**

- 1.1 Employees must be mindful that, when utilizing all technology resources (computing devices, email, webpage content management, news group postings, social media, etc.), s/he is representing the County. All communication over assigned Brunswick County property must be legal, ethical, responsible and decent regardless of its origin.
- 1.2 County Management Information Services/Information Technology are the administrators for the County computer network. Therefore, Department Directors and/or the County Manager will coordinate with MIS to establish appropriate server, file and internet access for staff.
- 1.3 Employees must recognize that all information transmitted by, received from and stored on Brunswick County systems are the property of Brunswick County and, as such, are subject to inspection by County officials and may be available for public information requests. For security and maintenance purposes, and to ensure compliance with this policy authorized personnel may monitor equipment, systems and network traffic at any time.
- 1.4 Employees must comply with copyright and licensing laws covering programs and data obtained or provided electronically to others.
- 1.5 Employees shall maintain the confidentiality of Brunswick County Government private or confidential information and shall utilize appropriate methods to ensure the protection of confidential information.

## BRUNSWICK COUNTY PERSONNEL MANUAL

- 1.6 When sending, replying, forwarding, or utilizing County provided communication, employees must identify themselves clearly and accurately. Anonymous or pseudonymous communication is forbidden.
- 1.7 The personal use of County provided electronic communication and technology for incidental purposes must not be excessive, strain County resources or interfere with job performance and must be conducted on an employee's own time during lunch or breaks. Employees shall not represent themselves or infer that they are an agent or officer of Brunswick County unless the communication pertains to official County business.
- 1.8 Software shall not be loaded onto any Brunswick County computing device, through any methods, without the prior approval of the Department Director and the MIS Department. This includes shareware, freeware, personal software, apps, or other internet distributed programs.
- 1.9 Employees are responsible for ensuring the physical security of their device and the data it contains. Therefore, employees must be diligent in locking or logging off their device to prevent unauthorized access when the employee is not present.
- 1.10 When an employee separates employment, the department is responsible for notifying Management Information Systems (MIS) immediately to coordinate restricting and removing access.

### 2. **This policy prohibits:**

- 2.1 Employees are prohibited from using the County's technology resources for private gain or profit.
- 2.2 Employees are prohibited from creating, sending, viewing, or storing messages, websites and/or images that may reasonably be regarded as offensive, obscene, racist, profane, illegal, or fraudulent and must insure that all correspondence and data are consistent with policies that address discrimination, harassment, solicitation and appropriate behavior.
- 2.3 Employees are prohibited from sharing with others their assigned passwords, credentials, access codes or other authentication devices. All passwords, access codes, etc. must be changed regularly, and may only be stored in a secure location.
- 2.4 Employees are prohibited from interfering with or disrupting any County technology network, services, programs, equipment, etc. Disruptions include, but are not limited to, debilitating programs, bulk e-mails, or emails with unauthorized attachments.
- 2.5 Employees are prohibited from making unauthorized entry to any computing device, network, program, etc. as a stand-alone device, via the network or internet and must not modify, copy or delete files and/or data belonging to other employees without prior consent.



## **BRUNSWICK COUNTY PERSONNEL MANUAL**

### **3.0 VIOLATIONS**

- 3.1 Any violation of this policy may result in disciplinary procedures up to and including dismissal.
- 3.2 Employees may appeal disciplinary actions resulting from violations of this policy in accordance with Policy# 610 Appeal/Adverse Action Procedure.
- 3.4 Deliberate actions and attempts to degrade or disrupt system/network performance, unauthorized access, or deliberate violations regarding confidential information will be viewed as criminal in nature under applicable state and federal law.

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION V PERSONNEL STANDARDS

### Policy #550 Social Media (New 8/18/2014)

**PURPOSE:** Brunswick County recognizes that some employees may choose to express themselves by posting on the internet through personal websites, blogs, chat rooms and other forms of social media. Brunswick County respects the rights and interests of employees to engage in personal expression through social media.

**SCOPE:** This policy applies to all employees and presents guidelines that can be used to determine appropriate use of social media.

#### **POLICY AND PROCEDURE:**

##### **1.0 RESPONSIBILITIES**

- 1.1 Employees must be mindful of blurring the lines between personal and professional when engaging with social media sites. Employees should express only personal opinions and never represent themselves as a spokesperson for Brunswick County Government.
- 1.2 Employees shall never use their county email account in conjunction with a personal social networking site.
- 1.3 Employees are expected to act responsibly and exercise good judgment when interacting with social media.
- 1.4 Employees shall maintain the confidentiality of Brunswick County Government private or confidential information.
- 1.5 Employees shall ensure that all postings are consistent with policies that address discrimination, harassment and appropriate behavior.

##### **2.0 VIOLATIONS**

- 2.1 Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may result in disciplinary action up to and including dismissal.
- 2.2 Conduct that adversely affects your job performance, the performance of fellow employees or otherwise adversely affects customers, suppliers or people who work on behalf of Brunswick County may result in disciplinary action up to and including dismissal.
- 2.3 Brunswick County Government prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including dismissal.

### **3.0 APPEALS**

- 3.1 Refer to Policy #610 Appeal/Adverse Action Procedure

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION V PERSONNEL STANDARDS

### Policy #560 Drug and Alcohol Free Work Place (*Revised 9/18/2017*)

**PURPOSE:** Brunswick County is committed to the goal of a drug and alcohol free workplace. This commitment is based on the belief that it is the County's responsibility to maintain a safe and healthy working environment for employees and a productive, effective workforce for the citizens of the County. This policy is intended to comply with all applicable federal and state laws governing anti-drug and alcohol programs, including those adopted by the U.S. Department of Transportation (DOT), and is designed to safeguard employee privacy to the fullest extent of the law.

**SCOPE:** This policy applies to all employees and includes the County's philosophy regarding substance abuse and sets forth regulations, responsibilities, and penalties for noncompliance. Under federal guidelines, certain classes of employees are subject to special actions, such as random drug testing. Brunswick County views certain classes as safety sensitive. The safety sensitive positions include, but are not limited to, sworn law enforcement officers; detention center officers; employees who are responsible for testing and treatment of water, raw sewage or wastewater; employees who handle hazardous materials in large quantities; employees that consistently and frequently operate, repair or maintain heavy equipment; a position that requires a CDL to operate a vehicle; employees that administer patient care; emergency medical services positions; employees that may independently work closely with or transport children; other positions as determined on a case-by-case basis. The Human Resources Director will provide a list of those designated positions upon request.

#### **POLICY AND PROCEDURE:**

1. **Brunswick County will strive to provide education on:**
  - 1.1 Dangers of alcohol and drug abuse;
  - 1.2 Brunswick County Drug and Alcohol Free Workplace;
  - 1.3 Availability of treatment and counseling for employees who voluntarily seek such assistance;
  - 1.4 Sanctions the County will impose for violations of its drug and alcohol free workplace policy.
  
2. **This policy prohibits:**
  - 2.1 Reporting to work or performing work while impaired by or under the influence of alcohol, illegal drugs or non-prescribed drugs on County premises or any County work area, in

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

County vehicles or while on County business (which includes the presence of any detectable amount found in the body).

- 2.2 The unauthorized use, consumption, possession, dispensation, distribution, manufacture or sale of alcohol, controlled substances, illegal drugs or drug paraphernalia by employees on County premises or any County work area, in County vehicles, during work hours, or while the employee is on duty, official County business, or stand-by duty.
- 2.3 Conviction of selling illegal drugs or of possession with intent to sell illegal drugs at any time or place.
- 2.4 Failure to notify the County of any arrest or conviction under any criminal drug or alcohol statute by the next working day following the arrest or conviction.
- 2.5 Refusal to immediately submit to an alcohol and/or drug test when requested by a supervisor, in accordance with the policy.
- 2.6 Tampering with or obstruction of a drug or alcohol test being administered by or for the County.

### **3. RESPONSIBILITIES**

- 3.1 The Human Resources Director, in conjunction with the Risk Manager, will administer this policy.
- 3.2 Alcohol and drug free workplace matters in the Sheriff's Office will be administered by the Sheriff.
- 3.3 Department directors are responsible for the application of this policy within their department.
- 3.4 Employees are responsible for and expected to report to work fit for duty and free of any adverse effects of alcohol, illegal drugs and prescription medication. This policy does not prohibit the lawful use and possession of prescribed medications. Employees must, however consult with their doctors about the medicine's effect on their fitness for duty and the ability to work safely, and they must promptly disclose any work restrictions to their supervisor.
- 3.5 An employee who voluntarily reveals a substance abuse problem to a supervisor before being notified to be tested, before testing positive for substance abuse and before other discovery of a substance abuse problem, may voluntarily enroll in a drug or alcohol rehabilitation program and is encouraged to use the Employee Assistance Program (EAP) to do so. An employee who voluntarily notifies their supervisor of a dependency may be granted leave in accordance with the County policy on leaves of absence.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

### **4. TESTING PROCEDURES**

- 4.1 Pre-Employment: Applicants who have been offered employment with the County will be required to undergo a drug screening test as part of the hiring process. The County will withdraw an offer of employment made to any applicant whose drug screen test reveals the presence of illegal drugs or prescription drugs without a valid prescription.
- 4.2 Job Changes: Employees accepting a promotion, demotion or transfer to any position will be required to submit to a test before the personnel action can be completed, just as applicants are subject to pre-employment testing.
- 4.2 Reasonable Suspicion: Employees may be required to submit to a test if reasonable suspicion of illegal drug use or alcohol use/abuse exists. Reasonable suspicion is a belief based on objective facts sufficient to lead a reasonable person to suspect an employee is impaired and incapable of satisfactorily and safely performing their assigned duties. Facts supporting a reasonable suspicion could include, but are not limited to, direct observation of prohibited drug or alcohol use; slurred speech; irregular or unusual speech patterns; impaired judgement; marijuana or alcohol odor; uncoordinated walking or movement; unusual behaviors such as hyperactivity, hostility, aggressiveness; a report of alcohol or drug use by an employee while at work by a credible source. The employee will be placed on a leave without pay or take annual leave until results are received. Sick leave cannot be used while awaiting results. If a negative test is received the employee will have the leave time used while awaiting the results reinstated or receive back pay.
- 4.3 Random: Employees in designated safety-sensitive positions and employees that are required to maintain a commercial driver's license will be subject to random, unannounced drug and alcohol screening. The rate of the random selection for drug and alcohol testing will be a percentage of an annual average employee base. Every employee in the pool has an equal chance of being chosen each time a random selection is made. When an employee is required to submit to a random testing, s/he will be notified by their supervisor. Employee will continue to work in a normal capacity pending the results of the test.
- 4.4 Post-Accident: Employees will be tested following an on-the-job accident or other occurrences that involve one or more of the following events: a fatality, a serious injury to an employee or other individual; when there is motor vehicle damage as a result of an accident to the extent that a vehicle must be towed; when there is a motor vehicle accident, the employee receives a citation under state or local law for a moving violation arising from the accident. Following an accident, an employee must notify their supervisor immediately. Post-accident testing will be administered as soon as possible, ideally no more than eight (8) hours after the accident. An alcohol test should be administered within two (2) hours of an accident. If unable to test within two (2) hours, the supervisor must document the reasons for the delay.
- 4.5 Return to Duty: Employees who have voluntarily removed themselves from their job duties and have voluntarily undergone and successfully completed treatment for drug or alcohol abuse must submit to and furnish a negative test result prior to returning to their duties.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

### **5. DISCIPLINARY PROCEDURES**

- 5.1 Any violation of this policy may result in disciplinary procedures up to and including dismissal.
- 5.2 Employees may appeal disciplinary actions resulting from violations of this policy in accordance with Policy# 610 Appeal/Adverse Action Procedure.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

### **SECTION VI            PROBLEM RESOLUTION**

#### **Policy #610            Appeal/Adverse Action Procedure (Revised 3/16/2015)**

**PURPOSE:** In order to maintain a harmonious and cooperative relationship between the County and its employees, it is the policy of the County to provide for the settlement of problems and differences through an orderly grievance procedure. Every general employee shall have the right to present his/her problem, grievance or adverse action appeal in accordance with the established policy free from interference, coercion, restraint, discrimination or reprisal.

**SCOPE:** This policy contains definitions and procedures on nondiscrimination and discrimination and describes the steps available to general employees for filing a grievance.

#### **POLICY AND PROCEDURE:**

##### **1.            GRIEVANCE AND ADVERSE ACTION - DEFINITIONS**

1.1 A grievance is a written claim or complaint based upon an event or condition which affects the circumstances under which an employee works, allegedly caused by misinterpretation, unfair application, or lack of established policy pertaining to employment conditions. The appeal must contain the charges, the employee's response to the charges, a response to any disciplinary actions taken, the remedy desired by the employee, and any other pertinent information.

1.2 An adverse action is a demotion, dismissal, reduction in pay, layoff, or suspension.

1.3 The following examples will not be covered by the grievance procedures:

1.3.1 classification of positions;

1.3.2 reduction-in-force actions;

1.3.3 disapproval of a performance evaluation, performance pay increase, or any other kind of honorary or discretionary award.

##### **2.            GRIEVANCE PROCEDURES AND ADVERSE ACTION POLICY**

2.1 Supervisors are responsible at all levels, consistent with authority delegated to them, to consider and take appropriate action promptly and fairly on a grievance or adverse action appeal of any employee.

2.2 The County sets forth the following objectives to be attained in this program:



## BRUNSWICK COUNTY PERSONNEL MANUAL

- 2.2.1 Assure employees of a way in which he/she can get his/her problems or complaints considered rapidly, fairly and without fear of reprisal.
- 2.2.2 Encourage the employee to express himself/herself about how the conditions of work affect him/her as an employee.
- 2.2.3 Get better employee understanding of policies, practices, and procedures which affect him/her.
- 2.2.4 Provide employees with assurance that actions are taken in accordance with policies.
- 2.2.5 Provide a check on how policies are carried out by supervisors.
- 2.2.6 Give supervisors a greater sense of responsibility in his/her dealings with employees.

### 3. **GRIEVANCE AND ADVERSE ACTION APPEAL PROCEDURE - NON-DISCRIMINATION**

- 3.1 Any general employee having a problem or grievance arising out of or due to his/her employment and who does not allege discrimination because of his age, sex, race, color, national origin, religion, creed, physical disability, veteran status, or political affiliation shall first discuss his problem or grievance with his/her Supervisor/Department Head and follow the grievance and adverse action appeal procedures established by the County.
- 3.2 The following procedures should be followed by employees and supervisors who wish to file a grievance and/or adverse action appeal.
  - 3.2.1 **Step One.** The employee with a grievance or adverse action appeal shall present the matter in writing to his/her immediate Supervisor within fourteen (14) calendar days of its occurrence or within fourteen (14) calendar days of the time the employee learns of the occurrence. The Supervisor shall consult with any employee or officer deemed necessary to reach a correct, impartial, and equitable determination. The employee shall be given an answer in writing within five (5) working days.
    - 3.2.1.1 General employees and supervisors with a grievance or adverse action appeal shall be filed in writing to the Department Head.
  - 3.2.2 **Step Two.** If the decision is not satisfactory to the employee, or if he/she fails to receive an answer within the designated period provided in Step 1, he/she may file the grievance with the Department Head in writing within five (5) working days. The appeal shall be heard and render a decision in writing within a maximum of five (5) working days.
    - 3.2.2.1 For employees in the Sheriff's Department and the Register of Deeds office, there shall be no appeal beyond the decision of the respective Department Head.

## BRUNSWICK COUNTY PERSONNEL MANUAL

- 3.2.3 **Step Three.** If the decision is not satisfactory to the employee, or if he/she fails to receive an answer within the designated period provided in Step Two, he/she may file the grievance in writing with the County Manager within five (5) working days.
- 3.2.4 In appeals involving a general employee or supervisor, the County Manager shall review the case data, consult with sources he/she deem appropriate, and give an answer in writing within ten (10) working days. A copy of the decision shall be sent to the employee by Certified Mail. For general employees and supervisors there shall be no appeal beyond the County Manager.
- 3.2.5 If an appealing employee fails to comply with the procedures and time limits established herein, the Director of Human Resources may dismiss the appeal.
- 3.3 The following procedures should be followed by department heads who wish to file a grievance and/or adverse action appeal.
- 3.3.1 The department head with a grievance or adverse action appeal shall present the matter in writing to the County Manager within fourteen (14) calendar days of its occurrence or within fourteen (14) calendar days of the time the department head learns of the occurrence. The Board of Commissioners shall schedule a hearing which shall be held during a regular scheduled meeting. The Board of Commissioners shall consult with any employee or officer deemed necessary to reach a correct, impartial, and equitable determination. The department head shall be given an answer in writing within five (5) working days. For department heads there shall be no appeal beyond the Board of Commissioners.
- 3.3.2 If an appealing department head fails to comply with the procedures and time limits established herein, the Director of Human Resources may dismiss the appeal.
- 3.4 If an employee is appealing a written letter of dismissal from their Department Head, or in the case of Department Heads the County Manager, an employee has five (5) working days to file an appeal in writing with the County Manager. Once the appeal is received, the County Manager shall follow the procedure set forth in 3.2.4 above.

## 4. **GRIEVANCE AND ADVERSE ACTION APPEAL PROCEDURE - DISCRIMINATION**

- 4.1 Any applicant for County employment, County employee, or former County employee who has reason to believe that employment, promotion, training, or transfer was denied him/her or that demotion, layoff, or termination of employment was forced upon him/her because of his/her age, sex, race, color, national origin, religion, creed, physical disability, veteran status or political affiliation, constitute a bona fide occupational qualification necessary to proper and efficient administration, shall have the right to appeal directly to the County Manager. A general employee has the right to appeal using the grievance procedure outlined in Section 3

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

of this article if he/she so desires. An employee or applicant must appeal an alleged act of discrimination in writing within thirty (30) days of the alleged discriminatory action.

### **5. COMPENSATION/BENEFITS**

- 5.1 Back pay and benefits may be awarded to reinstated employees in suspension, demotion, dismissal and discrimination cases.

In all cases and at all stages of the grievance and appeal procedure, a written copy of each decision will be transmitted to the employee and Human Resources Department with a copy to be placed in the employee's personnel record.

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION VII MISCELLANEOUS

### Policy #710 Travel And Training

**PURPOSE:** The Brunswick County Board of Commissioners recognizes that travel and training is an integral part of County Government. Employees may need to travel on County business and therefore may incur expenses. Brunswick County has developed policies to ensure that such activities are cost-effective and to explain the rules and regulations of the County regarding travel and training.

**SCOPE:** This policy includes procedures for determining the circumstances under which employees may incur travel and training expenses, the type and class or transportation to be used, travel rules to follow and procedures for obtaining advances and reimbursements.

#### **POLICY AND PROCEDURE:**

##### **1. COUNTY RELATED TRAVEL AND TRAINING**

- 1.1 County related travel and training expenses must be approved in advance by the employee's Department Head, who will obtain any other necessary approvals and submit the approved form to the Finance Office of the County for payment by the dates as specified on the "Travel and Vendor Disbursement Schedule".
- 1.2 Employees will be reimbursed for reasonable expenses incurred while traveling on County business.
- 1.3 Activities that may justify travel and training expenses can include but are not limited to, attending educational institutions, seminars, conventions, or board meetings.
- 1.4 Expenses which are deemed unreasonable or which do not follow the guidelines presented in this policy may not be reimbursed.
- 1.5 All reimbursable expenses are to be reported on a "Reimbursement of Travel Expenses Incurred in Discharge of Official Duty" form. This form must be submitted to the employee's Department Head for approval.

##### **2. APPROPRIATE TYPE AND CLASS OF TRAVEL AND TRAINING**

- 2.1 Employees are expected to select the lowest-priced form of transportation consistent with travel convenience and reasonable comfort.
- 2.2 Short business trips may be made with a County vehicle, personal vehicle or any reasonable and safe form of public or private transportation as directed by the Department Head.

## BRUNSWICK COUNTY PERSONNEL MANUAL

- 2.3 Rental cars should be used only when less expensive forms of transportation are not available or are clearly inconvenient.

### 3. TRAVEL AND TRAINING ADVANCES

- 3.1 Employees (all salaried personnel) needing travel advances for training and/or conference events, must submit a request for a travel advance to the Finance Department, approved by their Department Head (Department Heads must have his/her forms approved by the County Manager, County Manager must have his/her forms approved by the Chairman and Vice-Chairman of the Board of Commissioners), in accordance with the Accounts Payable Disbursement Schedule. All out-of-state travel advances by employees must be approved by the County Manager. The following information must be included in this request:
- 3.1.1 Purpose and place of the travel and/or conference event;
  - 3.1.2 Duration of the travel and/or conference event;
  - 3.1.3 Account number to be charged;
  - 3.1.4 Amount requested; and
  - 3.1.5 Copy of pronouncement of event.
- 3.2 Travel advances are considered obligations of the Commissioners, Board Members and employees, since it is not a prepayment of travel expenses. Therefore, ***TRAVEL ADVANCES MUST BE ACCOUNTED FOR FULLY***. Any portion of a travel advance unspent must be returned to the County.
- 3.3 Travel advances must be accounted for on the "Reimbursement of Travel Expenses" form within five (5) working days following expected attendance of a training and/or conference event. Failure to do so will result in a payroll deduction for the full amount of the travel advance requested and received.
- 3.4 Travel advances, registration fees (if paid to the vendor) and/or transportation expenses (if paid to the vendor) will be disbursed only in "Accounts Payable Disbursement" check runs. All requests for payment of these items must be submitted to the Finance Department by the date noted under "All Other Vendor Disbursements Due in Finance" on the "Travel and Vendor Disbursement" forms.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

### **4. TRAVEL AND TRAINING REIMBURSEMENTS**

4.1 Travel reimbursement may be claimed by Commissioners, Board Members, or employees for the following expenditures incurred in discharge of their official duties while traveling on County business.

4.1.1 Hotel (room) charges - actual expenditures - receipts required;

4.1.2 Meals - actual expenditures - receipts required;

4.1.3 Transportation -

4.1.3.1 If driving a personal automobile - per mile per vehicle to agree with current federal minimum allowed.

4.1.3.2 If driving a County automobile, actual expenditures - receipts required.

4.1.3.3 If means other than automobile (i.e., airplane, train, bus) - actual expenditures - receipts required. Employees must secure Department Head approval and Department Heads must secure County Manager approval. All attempts possible should be made to secure this means of travel well in advance of planned departures to enable the County to pay the appropriate vendor directly for this service.

4.1.4 Other:

4.1.4.1 Cab fare - actual expenditures - receipts encouraged;

4.1.4.2 Tolls - actual expenditures - receipts required;

4.1.4.3 Parking - actual expenditures - receipts encouraged except for airport parking where receipts are required;

4.1.4.4 Meeting supplies (i.e., books, materials) actual expenditures - receipts required;

4.1.4.5 Registration - actual expenditures - receipts required. Employees must secure Department Head approval, Department Heads must secure County Manager approval. All attempts possible should be made to secure registration well in advance of planned departure to enable the County to pay the appropriate vendor directly for this service.

4.1.4.6 Miscellaneous - actual expenditures - receipts required.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

- 4.1.4.7 The County will only reimburse personal telephone calls up to ten (\$10.00) dollars.
- 4.2 Expenditures incurred for travel must be accounted for on the "Reimbursement of Travel Expenses" form. "Period Covered" and "Request Due in Finance" are included on the Travel and Accounts Payable Disbursement Schedule to facilitate timely reimbursement of travel expenditures to employees twice a month (approximately, the 10th and 25th of each month).
- 4.3 Employee requests for travel reimbursement (airfare and/or registration) require Department Head approval, Department Heads require County Manager approval.
- 4.4 All out-of-state travel by employees and Department Heads must be approved by the County Manager prior to such travel being undertaken (and not prior to such travel being claimed for reimbursement).
- 4.5 Expenses incurred that construe entertainment are not obligations of Brunswick County and will not be reimbursed (i.e., rental movies, amusement parks, etc.).
- 4.6 Expenses associated with any family member will not be reimbursed.
- 4.7 Alcoholic beverages purchased are non-reimbursable.

### **5. CHARGE CARDS**

- 5.1 Employees may use their personal charge cards to charge travel and training expenses for County related business.
- 5.2 The County Manager will periodically determine the assignment of County charge cards, and has full authority to withhold or withdraw County charge cards. The official record of assignment will be located in the Finance Department.
  - 5.2.1 Brunswick County will not pay any interest charges incurred on any County charge cards assigned. These interest charges will be a personal expense to the County card holder.
- 5.3 Actual itemized receipts (i.e., hotel invoice, etc.) are required in addition to a copy of the charge card invoice for all expenses requested to be reimbursed.
  - 5.3.1 Denoted on the back of the charge card invoice shall be the following:
    - 5.3.1.1 Purpose of charge (i.e., lunch meeting to discuss engineering report with XYZ, Co., Consulting Engineer).
    - 5.3.1.2 Person or persons attending meeting whose expenses are included on the charge card invoice.

## BRUNSWICK COUNTY PERSONNEL MANUAL

### SECTION VII MISCELLANEOUS

#### Policy #730 Vehicle Use Policy (*Revised 8/18/2014*)

**PURPOSE:** Brunswick County owns vehicles that are used by employees conducting County business. Some employees may also use personal vehicles while conducting County business. This policy is written to establish rules and regulations for safe and lawful use of vehicles, and to enable the fair and consistent administration of the reimbursement of expenses for vehicle use.

**SCOPE:** This policy includes topics such as safety expectations for drivers, accident reporting procedures, and reimbursement of expenses.

#### **POLICY AND PROCEDURE:**

##### 1. SAFE OPERATION OF COUNTY VEHICLES

- 1.1 Each employee is responsible for the safe operation of any County vehicle they are operating. Employees shall obey all traffic laws while using County vehicles.
- 1.2 In the event of an accident with another vehicle, employees are expected to follow these steps:
  - 1.2.1 Identify yourself, and render assistance to the extent that you are capable.
  - 1.2.2 Provide your name and show your driver's license to the operator of other vehicles and law enforcement personnel if applicable.
  - 1.2.3 Do not admit responsibility or offer a settlement. Do not discuss responsibility. Gather all of the facts and details of the accident. It is suggested that you make notes or drawings as soon as possible after the accident.
  - 1.2.4 Obtain the name, address, license number, and insurance carrier of the other driver.
  - 1.2.5 Obtain the name(s) and address(s) of any witness(es).
  - 1.2.6 Notify your Supervisor and Risk Management Officer about the accident immediately.
  - 1.2.7 An accident report must be filed with the Risk Management Officer within two working days. Blank forms may be obtained by contacting the Risk Management Officer and are posted on the intranet. The employee should also contact the Risk Management Officer regarding Worker's Compensation benefits.



## **BRUNSWICK COUNTY PERSONNEL MANUAL**

- 2.3 In case of an accident involving property damage, employees are expected to follow these steps:
- 2.3.1 If the owner of the property is available, inform him/her of the property damage. Note the owner's name and address at which the incident occurred.
  - 2.3.2 With the exception of 1.2.4., follow all of the steps listed in paragraph 1.2.
- 2.4 Any traffic citation received by an employee while on County business shall be the responsibility of the employee.

### **3. PERSONAL VEHICLE EXPENSE**

- 3.1 The employee will be reimbursed for mileage driven for authorized County business, plus tolls and parking. Use of an employee's personal vehicle must be prior approved by the Department Head. Please refer to Policy #710, Part 4.1.3.1.

## BRUNSWICK COUNTY PERSONNEL MANUAL

### SECTION VII MISCELLANEOUS

#### Policy #731 Authorization to Drive County Vehicles (*Revised 10/17/2016*)

**PURPOSE:** County vehicles are provided to support business activities and are to be used only by qualified and authorized persons. Vehicles are not to be considered a part of an employee's compensation and must not be used as an inducement for employment. The purpose of this policy is to establish the County's position on safe motor vehicle operation. In all cases, these vehicles are to be operated in strict compliance with motor vehicle laws of the jurisdiction in which they are driven and with the utmost regard for their care and cost efficient use.

**SCOPE:** The County of Brunswick has an obligation to ensure, to the best of its ability, that all vehicle operators are properly licensed and maintain a safe driving record. As a driver of a County vehicle, the authorized driver has been given certain privileges. Authorized drivers assume the duty of obeying all motor vehicle laws, transporting only authorized persons, maintaining the vehicle properly at all times and following the policies and procedures outlined as follows.

This policy applies to all employees and departments except the Sheriff's Office; they are subject to General Order E-01 Use and Care of Assigned Vehicles.

#### **POLICY AND PROCEDURE:**

##### **1. RESPONSIBILITIES OF AUTHORIZED DRIVERS**

- 1.1 Authorized drivers of County vehicles are persons appointed by the department head.
- 1.2 County vehicles are to be used for County business only.
- 1.3 Must have a valid North Carolina or South Carolina driver's license for the class of the vehicle being operated and must be able to drive a vehicle. Obtaining a driver's license is a personal expense.
- 1.4 Authorized passengers are only those appointed to travel with authorized drivers while conducting County business.
- 1.5 County vehicle is not to be used for transport of family members.
- 1.6 All procedures for use of county vehicles (Policy #730 Vehicle Use) must be followed.

##### **2. GLOBAL POSITIONING SYSTEM ("GPS")**

- 2.1 County-owned vehicles are equipped with a global positioning system ("GPS") capable of capturing information in the vehicle. This device helps the County reduce vehicle accidents by identifying improper driving habits to improve safety for employees and citizens alike.
- 2.2 The County, in its discretion, may use or disclose any information generated by the GPS for any purpose, including, but not limited to, evaluating operational performance, imposing discipline, and defending and investigating accident claims.
- 2.3 Tampering with and/or obstructing the GPS system is strictly prohibited. Employees who violate this rule will be subject to disciplinary action up to and including dismissal.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

### **3. DRIVER QUALIFICATIONS**

- 3.1 Driver qualifications for operating a County vehicle at any time are as follows:
- 3.1.1 Authorized person of County.
  - 3.1.2 Must be at least 18 years of age.
  - 3.1.3 Must meet licensing requirements as outlined in this policy.
  - 3.1.4 Will not qualify for a County vehicle if, during the last 36 months, the driver has had any of the following experiences:
    - 3.1.4.1 Been convicted of sale, handling or use of drugs or paraphernalia.
    - 3.1.4.2 Has no automobile insurance.
    - 3.1.4.3 Has six (6) or more points against their driver's license.
    - 3.1.4.4 Been convicted of an alcohol or drug-related offense while driving.
    - 3.1.4.5 Been convicted of three or more serious driving violations within the past three (3) years.
    - 3.1.4.6 Been involved in two or more at fault accidents in a three (3) year period as determined by Safety Review Board or law enforcement agency for the jurisdiction.
- 3.2 Any persons required to operate a County vehicle as part of their regular duties, who do not meet the aforementioned qualifications will not be permitted to operate a County vehicle until the department head has reviewed for clearance to resume operation.
- 3.3 Before an employee is given County driving privileges, the employee will be instructed by their immediate supervisor on operator responsibility and accident reporting procedures as it is outlined in Brunswick County Safety Manual. The supervisor is accountable for ensuring that an employee is properly trained and can operate County equipment in a safe manner.

### **4. REVIEW OF MOTOR VEHICLE RECORD**

- 4.1 Brunswick County requires everyone who operates a County owned vehicle to submit a disclosure for which permits the County access to their motor vehicle records (MVR). This MVR requirement applies both to drivers of County owned vehicles as well as employees using personal vehicles for County business.
- 4.2 State Motor Vehicle Records (MVRs) will be used as the source for verifying driver history. As a condition of operating a County vehicle, Safety/Risk Management and/or Human Resources may obtain and review MVR of employees operating County vehicles at least annually. It is the responsibility of each employee to report any driving infraction that changes the status of their license to their supervisor. Failure to do so would constitute a failure in job-related personal conduct (as defined in Policy #250, Section 11) which may result in disciplinary action.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

- 4.3 Driving privileges may be withdrawn or suspended and/or the County vehicles removed for any authorized driver not meeting the stated requirements. In addition, appropriate disciplinary action may be taken.

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION VII MISCELLANEOUS

### Policy #735 Parking Policy

**PURPOSE:** Brunswick County recognizes that parking areas at the Brunswick County Government Center are limited and valuable resources that must be administered through appropriate policies. The County recognizes that parking areas are not only available to employees, but to the citizens of Brunswick County.

**SCOPE:** This policy applies to all County employees. It presents rules and regulations concerning parking on County property and identifies responsibilities and limitations to all employees.

#### **POLICY AND PROCEDURE:**

##### 1. ADMINISTRATION OF PARKING PROGRAM

1.1 The County Manager will administer the parking policy and has the authority to assign parking spaces pursuant to 2.2 of this policy and any other assignment the County Manager deems appropriate.

##### 2. PARKING AREAS

2.1 Employees shall only park in areas designated as “Employee Parking” by the County Manager.

2.2 Any employee who violates this policy will be subject to appropriate disciplinary action pursuant to Section II, Policy 250.

##### 3. COUNTY LIABILITY

3.1 Brunswick County is not responsible for theft of or damage to any vehicle parked on its premises.

3.2 Each employee is responsible for adhering to the provisions of this policy.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

### **SECTION VII MISCELLANEOUS**

#### **Policy #755 Aids - Acquired Immune Deficiency Syndrome**

**PURPOSE:** Brunswick County is committed to providing fair and equal employment opportunities for all individuals, including those who have been exposed to the AIDS virus, or who are in AIDS related groups. Brunswick County is also committed to providing a safe workplace for all employees that meets or exceeds federal, state and local regulations. The Brunswick County Health Department (a health care facility) continues to emphasize its commitment to provide County employees with guidance material and recommendations concerning precautions to be used for the management of patients with AIDS and AIDS related complex.

**SCOPE:** This policy applies to all County employees. It presents the County's commitment to provide a work environment that is safe for all County employees and to ensure that individuals who have been exposed to AIDS are provided with fair and equal treatment by Brunswick County. This policy reviews some of the rights of all groups, and it reviews some procedures and practices to educate the work force regarding AIDS issues that may affect Brunswick County. This policy also includes some rights and responsibilities of Department Heads and other employees regarding AIDS-related problems in the workplace. It also includes some guidelines to be followed for employees providing service to persons with AIDS.

#### ***POLICY AND PROCEDURE:***

##### **1. AIDS ANTI-DISCRIMINATION STATEMENT**

- 1.1 It is our policy not to discriminate against any employee or applicant for employment because he/she may have AIDS, or is perceived to have AIDS, belongs to a group particularly susceptible to AIDS, is perceived to be particularly susceptible because he/she is related to or resides with someone who has AIDS, or has tested positive for the HIV antibody.
- 1.2 This policy applies to all areas of County employment and personnel administration.
- 1.3 Brunswick County may conduct research to determine if its policies or procedures have an adverse impact on any protected group. If any adverse impact exists, the County will develop a plan to rectify the situation in accordance with guidelines set forth by the appropriate agencies.
- 1.4 Brunswick County will communicate its policy regarding AIDS internally through:
  - 1.4.1 Employee publications (as printed)
  - 1.4.2 Special Meetings (as necessary)

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

1.4.3 Postings on bulletin boards (as necessary)

1.5 Brunswick County will communicate its AIDS policy externally as determined by the Board of County Commissioners.

### **2. TESTING AND PRE-EMPLOYMENT SCREENING FOR AIDS**

2.1 Brunswick County does not require testing for the HIV as a condition of employment for any current employee or job applicant.

2.2 Brunswick County does not permit questions concerning AIDS to be used in pre-employment interviews.

### **3. BENEFITS AND COMPENSATION PLANS**

3.1 Employees who have AIDS will receive full benefits offered by Brunswick County.

3.2 People with AIDS illness may continue to work for the County as long as they are capable of performing the duties of their position.

### **4. SAFETY AND HEALTH OF ALL EMPLOYEES**

4.1 Brunswick County is committed to providing a work environment that is safe for all employees. To accomplish this goal, the County will provide adequate procedures and training to protect and educate employees.

4.2 A diagnosis of AIDS in an employee, customer, or patient necessitates "blood/body fluid precautions" but does not demand other isolation procedures as a matter of course.

4.3 Employees known to be infected with HIV cannot be restricted from work solely based on this finding. Moreover, they cannot be restricted from using telephones, office equipment, showers, eating facilities and water fountains.

4.4 Equipment contaminated with blood or other body fluids of any employee regardless of HIV infectious status, should be cleaned with soap and water or a detergent. A disinfectant solution or a fresh solution of sodium hypo chlorite (household bleach) should be used to wipe the area after cleaning.

4.5 Precautions to be taken by employees who work with sharp instruments in the proximity of other individuals include, but are not limited to, the following:

4.5.1 Extraordinary care should be taken to avoid accidental wounds from sharp instruments that may be contaminated with infectious materials.

4.5.2 Extraordinary care should be taken to avoid contact with accidental wounds or open skin lesions of other employees or clients.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

### **5. SPECIAL SERVICES**

- 5.1 Employees who are concerned about AIDS contracted by himself/herself, family members, or fellow employees should contact the Director of the Brunswick County Health Department.
- 5.2 Appropriate precautions should be enforced routinely to protect employees from possible transmission of AIDS as should other standard infection-control precautions, regardless of whether employees, customers, or patients are known to be infected with HIV or HBV.
- 5.3 In addition to being informed of appropriate precautions, employees should be educated regarding the modes of transmission and prevention of HIV infection.
- 5.4 Precautions to prevent HIV infection by employees from patients include, but are not limited to, the following:
  - 5.4.1 Any sharp items or instruments should be considered as potentially infective and handled with extraordinary care to prevent accidental injuries.
  - 5.4.2 Disposable syringes and needles, and any other sharp items should be placed into puncture-resistant containers located as close as practical to the area in which they were used. To prevent needle stick injuries, needles should not be recapped, purposefully bent, broken, removed from disposable syringes, or manipulated by hand.
  - 5.4.3 When the possibility of exposure to blood or other body fluids exists, routinely recommended precautions should be followed. The anticipated exposure may require gloves alone, or may also require gowns, masks, and eye-covering. Hands should be washed thoroughly and immediately.
  - 5.4.4 To minimize the need for emergency mouth-to-mouth resuscitation, mouth pieces, resuscitation bags, or other ventilation devices must be available for use.

### **6. RECOMMENDATIONS FOR PREVENTING OF AIDS VIRUS FROM EMPLOYEES, CUSTOMERS OR PATIENTS**

- 6.1 Employees known to be infected with HIV who do not perform invasive procedures need not be restricted from work unless there is evidence of other infection or illness for which any employee should be restricted.
- 6.2 Precautions to prevent transmission of HIV infection from employees to patients include, but are not limited to, the following:
  - 6.2.1 All employees should wear gloves for direct contact with mucous membranes or non-intact skin of all patients;



## **BRUNSWICK COUNTY PERSONNEL MANUAL**

6.2.2 Employees with exudative lesions or weeping dermatitis should refrain from all direct patient care and from handling patient-care equipment until the condition clears.

6.3 Employees who are known to be infected with HIV and who have defective immune systems are at increased risk of acquiring or experiencing serious complications of other infectious diseases.

6.3.1 Of particular concern is the risk of severe infection following exposure to patients with infectious diseases that are easily transmitted if appropriate precautions are not taken (e.g., tuberculosis).

6.3.2 Employees infected with HIV should be counseled about the potential risk associated with taking care of patients with transmissible infections and should continue to follow existing recommendations for infection control to minimize their risk of exposure to other infectious agents.

### **7. VIOLATIONS OF THIS POLICY**

7.1 Employees who refuse to work with or provide services to other employees or individuals with AIDS, suspected to have AIDS or live with an individual suspected to have AIDS, will immediately receive appropriate corrective action, up to and including termination.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

### **SECTION VIII PERFORMANCE APPRAISAL SYSTEM**

#### **Policy #800 Performance Evaluation and Development Program (Revised 9/06/2016)**

**PURPOSE:** To establish and maintain an equitable performance evaluation and development program that defines and improves the performance level of all employees in regular full time positions in order to advance the organization's goals.

**SCOPE:** This policy applies to all regular full time positions. This policy describes the County's appraisal system and the procedures that will be followed to make it work effectively.

#### **POLICY:**

##### **1. OBJECTIVES**

The performance appraisal system is designed to motivate and develop employees to their fullest potential, identify areas for improvement and recognize achievements, ensure on-going communication between employees at all levels, provide an opportunity to discuss employee development or training, mutually establish goals for employees, support any future personnel actions as it relates to promotions, reductions in force, or discipline and to establish compensation levels based on individual employee performance.

##### **2. PROCEDURE**

- 2.1 The performance appraisal period is generally from April 1 of one year until March 31 of the next year. The appropriate Supervisor and/or Department Head or Board shall annually review the performance of each employee. The performance appraisal must be complete and the documentation received in Human Resources within the timeframes established and communicated each year.
- 2.2 Once approved, performance evaluation conferences will be conducted by the employee's supervisor and/or Department Head. The employee may not be accompanied by another employee or any other form of representation.
- 2.3 Following the conference, the employee shall be given a copy or have access to their performance appraisal to keep and it will also be put into the employee's personnel file. While performance appraisals are not grievable, any employee who substantially disagrees with his/her evaluation must indicate on the appraisal whether they intend to submit a written statement. Written comments must be submitted to the supervisor within 5 days from the date of the review. All written statements will be forwarded to Human Resources and will be included with the employee's personnel record.

## BRUNSWICK COUNTY PERSONNEL MANUAL

- 2.4 If funds are appropriated in the annual county budget, each employee may be considered annually for a pay scale adjustment and/or merit increase. Such pay increases will be based on the employee's overall performance rating. An employee that fails to meet expectations, and receives an overall rating of Below Expectations/Improvement Required, will be placed on a 90 day performance expectation plan with established objectives for improvement and monitored accordingly. If the employee performance is corrected and achieves the 90 day plan expectations, they may receive a pro-rated pay adjustment based on pay scale movement; otherwise, they are not eligible for a pay increase. Employees not achieving the 90 day plan expectation may have further disciplinary actions occur, up to and including dismissal.

# BRUNSWICK COUNTY PERSONNEL MANUAL

## SECTION IX CLASSIFICATION SYSTEM

### Policy #900 Classification and Pay Plan (*Revised 10/20/2014*)

#### PURPOSE/SCOPE:

The classification system as adopted by the Board of Commissioners is established to serve as a basis for and to assist in all aspects of County Administration. It identifies duties and responsibilities, establishes the minimum qualifications required for each position and establishes salary ranges for all County positions. This policy applies to all eligible current County employees and future employees.

#### POLICY:

##### 1. Allocation of Position

- 1.1 The County Manager shall assign each position covered by the classification plan to its appropriate class in the plan.

##### 2. Administration of the Position Classification System

- 2.1 The County Manager, or person(s) designated by the County Manager, shall be responsible for the administration and maintenance of the position classification system so that it will accurately reflect the duties performed by employees in the classes to which their position are assigned.
- 2.2 New positions shall be established only with the approval of the Board of County Commissioners after which the County Manager shall either 1) assign the new position to the appropriate class within the existing classification system, or 2) establish a new class to which the new position may be assigned.
- 2.3 Department Heads and Elected Officials, i.e., Sheriff Office or Register of Deeds, shall be responsible for bringing to the attention of the County Manager and the Human Resources Director any material changes in the nature of duties, responsibilities, working conditions, or other factors affecting the classifications of any existing positions.
- 2.4 When the County Manager finds that a substantial change has occurred in the nature or level of duties and responsibilities of an existing position, the County Manager will:
  - 1) Direct that the existing class specification be revised;
  - 2) Reassign the position to the appropriate class within the existing classification plan;
  - 3) Recommend that the Board of County Commissioners amend the position classification plan to establish a new class to which the position may be assigned.This revision process will generally only be entertained annually, so as to be included in the annual budget, and requires written documentation to include a job evaluation and an updated job description.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

- 2.5 Human Resources will conduct an annual ongoing market study evaluating approximately one fourth of all job families each year. This may result in a market adjustment which will coincide with annual budget cycle and is approved by the Board of County Commissioners.

### **3. The Pay Plan - Compensation Philosophy**

- 3.1 The County Manager shall be responsible for the administration and maintenance of the pay plan. The pay plan is intended to provide equitable compensation for all positions when considered in relation to each other, to general rates of pay for similar employment in the private sector and in other public jurisdictions in the area, to financial conditions of the County, and other factors.

### **4. Administration of the Pay Plan**

- 4.1 The pay plan of Brunswick County shall be administered in a fair and systematic manner in accordance with work performed. The pay structure shall be externally competitive, maintain proper internal relationships among all positions, based on relative duties and responsibilities, and shall recognize performance as the basis for pay increases within the established pay range.
- 4.2 Annually, the County Manager may make a recommendation for Board of County Commissioner approval to adjust pay ranges (pay scale adjustments) based on the Consumer Price Index reported each year in December. This action should limit the impact for a major shift of salary ranges that results from a pay study/market survey.
- 4.3 Eligibility to receive pay scale adjustment will be based on performance evaluation rating and may be given in conjunction with approved merit increases as budget permits.
- 4.4 Performance ratings will determine eligibility for merit increase, approved by Board of County Commissioners, and may be based on actual salaries. The County Manager with Board of Commissioner approval may determine an alternative approach.
- 4.5 Action taken relative to the compensation of elected officials and the direct reports to the Board of County Commissioners, i.e., County Attorney, Clerk to the Board of Commissioners and the County Manager, will be the responsibility of the Board of County Commissioners.
- 4.6 The pay plan shall meet the requirements for local government employees for those employees subject to the State Personnel Act, while maintaining a countywide pay plan for all County employees. All regular full-time jobs with Brunswick County are titled and assigned a pay range on the Brunswick County pay scale.
- 4.7 All full time positions, including vacancies, may be budgeted for merit as directed by the Board of Commissioners.

## BRUNSWICK COUNTY PERSONNEL MANUAL

- 4.8 Probationary employees may be eligible for pay scale adjustment while on probation. Newly hired probationary employees are not eligible for merit increases.

### **5. Payment at a Listed Rate/Pay Ranges**

- 5.1 All employees covered by the pay plan shall be paid at a rate within the pay ranges established for their respective job classes except for employees in a trainee status (see Section 7 of this policy).
- 5.2 When an employee attains the maximum rate of a pay range for his/her present position, no further pay increases will be received unless:
- a) The position is reclassified;
  - b) The employee is promoted to another position with a higher pay range, or; the pay range for the present position is increased.
  - c) Employees who are at the maximum rate of pay who earn a merit increase on their annual evaluation will receive a bonus / lump sum payment in lieu of a salary increase. Any amount of the merit adjustment that exceeds the maximum of the pay grade will be paid in the form of a bonus / lump sum amount.

### **6. Hiring (New Vacant Positions), Promotions, Demotions, Transfers and Reclassifications**

- 6.1 When an employee is hired, promoted, demoted, transferred or reclassified, the rate of pay for the position shall be in accordance with the following rules:
- 6.1.1 New Vacant Positions – any position that is ‘applied for’ would be considered a new position. Typically, hiring offers will be the minimum of the pay range but other criteria may warrant a salary offer above the minimum. Criteria for determining salary for hiring someone into a new position will be consistent whether an internal or external candidate and will be based on various criteria (prior work experience, education, current salary, internal equity etc.). For a salary offer above minimum, the pay classification hiring ranges are typically between the minimum and the midpoint of the salary range; it is understood that some offers may warrant an above the midpoint salary offer. These require coordination with Human Resources and County Manager approval.
- 6.1.2 Promotions for career ladder progression – an employee shall receive the salary established for the minimum of the new pay range or receive a one-step pay increase. Step increase could be up to 5% based on internal equity. These increases are to be identified as part of annual budget process.

Note: Promotions not related to career ladder progression, in which an employee would need to apply for the position, would be considered a ‘new position’ under Section 6.1.1 above.

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

- 6.1.3 Demotions – when an employee is moved to a lower pay grade, the employee’s salary may be reduced to any step within the lower range. Internal equity may impact decisions regarding salary.
- 6.1.4 Transfers – an employee who transfers from a position in one class to a position in another class assigned to the same pay range shall continue to receive the same salary.
- 6.1.5 Reclassifications – an employee whose position is reclassified to a class with a higher pay range shall receive the minimum salary established for the new pay range or a one-step increase up to 5% based on internal equity. When a position is reclassified to a lower pay range and the employee is receiving a salary above the maximum for the new pay range, the employee shall maintain previous salary level. Reclassifications should be identified as part of annual budget process or may have to be taken to the Board of Commissioners for approval.

### **7. Pay Rate of Trainee**

- 7.1 When an applicant selected for a position does not meet all the established requirements of the position, the applicant may be offered a salary at 5% below the minimum of the pay range for the position and be designated as a ‘trainee’.
- 7.2 It is expected that the trainee deficiencies will be eliminated through orientation, certifications and/or on-the-job training within a 12 month period.
- 7.3 An employee in a trainee status shall continue to receive a reduced pay rate until the Department Head determines that the trainee is qualified to assume the full responsibilities of the position, at which point they will be brought to the minimum of the appropriate pay range. Written notification from the Department Head of a change in status will become part of the employee's personnel file.

### **8. Merit Increases**

- 8.1 The amount and number of merit increases available for allocation in a given fiscal year is a budgetary consideration. The amount of funds available is determined and allocated by the Board of Commissioners.
- 8.2 Merit increases are not automatic, but may be awarded based on performance.
- 8.3 If funds are available, each employee may be considered annually for a merit increase during the annual evaluation process.
- 8.4 Such merit increases must be recommended by the Department Head or Elected Official, i.e., Sheriff or Register of Deeds, and approved by the County Manager. If approved, the merit increases may be reflected in a paycheck during the month of July in the new fiscal

## **BRUNSWICK COUNTY PERSONNEL MANUAL**

year. All regular full time employees may be considered for merit increases in accordance with the merit pay plan.

- 8.5 The performance evaluation system, designed to facilitate fair and equitable merit pay decisions, strives to meet the needs of both management and employees. From these performance evaluations, recommendations for merit increase may be determined.
- 8.6 An employee's absence from work, due to sick leave, leave without pay, leave due to injury on the job, or any other authorized leave, may be cause for the Department Head to request an extension for the annual performance evaluation review, so as to allow adequate evaluation of performance. Refer to Policy #800 for further details on the performance evaluation process.